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HANSARD'S
PARLIAMENTARY DEBATES,

THIRD SERIES:

COMMENCING WITH THE ACCESSION OF

WILLIAM IV.

41° & 42° VICTORIÆ, 1878.

VOL. CCXLI.

COMPRISING THE PERIOD FROM

THE TWENTY-FIRST DAY OF JUNE 1878,

TO

THE TWENTY-SECOND DAY OF JULY 1878.

Fifth Volume of the Session.

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1878.

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Question proposed, "That the words proposed to be left out stand part of the Question:"—After debate, Question put:—The House *divided*; Ayes 256, Noes 47; Majority 209.—(Div. List, No. 189.)
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The House suspended its Sitting at ten minutes to Seven of the clock.

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Amendment proposed,

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Question proposed, "That the words proposed to be left out stand part of the Question:"—After debate, Question put:—The House *divided;* Ayes 123, Noes 81; Majority 42.—(Div. List, No. 191.)

Main Question put, and *agreed to:*—Bill *considered.*

After long debate, it being ten minutes before Seven of the clock, further Proceeding on Consideration, as amended, stood adjourned till *this day.*

The House suspended its Sitting at Seven of the clock.

The House resumed its Sitting at Nine of the clock.

MOTIONS.

Removal of Paupers—Resolution—
Moved, "That the Laws under which the destitute poor receiving relief from the poor's rate are subject to removal in England and Scotland in their operation inflict many wrongs and cause great sufferings; that they are unjust and impolitic; therefore, That, in the opinion of this House, the said Laws ought to be so amended as that every poor person who shall have maintained himself or herself for twelve months by some industrial occupation in any parish, combination of parishes, or union in England, Wales, or Scotland, previously to receiving such relief, shall not be subject to removal therefrom,"—(*Mr. M'Carthy Downing*) 653

REMOVAL OF PAUPERS—RESOLUTION—*continued.*

Amendment proposed, to leave out from the word "inflict" to the end of the Question, in order to add the words "hardships, and requires consideration with a view to their amendment,"—(*Mr. Verner,*)—instead thereof.

Amendment and Motion, by leave, *withdrawn*

Resolved, That the Laws under which the destitute poor receiving relief from the poor's rate are subject to removal in England and Scotland in their operation inflict hardships, and require consideration with a view to their amendment.—(*Mr. M'Carthy Downing.*)

British Museum (Transfer of Collection) Bill—*Ordered* (*Mr. Walpole, Mr. Lowe, Sir John Lubbock*); *presented,* and read the first time [Bill 236] 687

Parliamentary Elections (Returning Officers' Expenses) (Scotland) Bill—*Ordered* (*Mr. James Stewart, Dr. Cameron, Mr. Montgomerie, Mr. Ramsay*); *presented,* and read the first time [Bill 237] 687

COMMONS, WEDNESDAY, JULY 3.

ORDERS OF THE DAY.

Church Rates (Scotland) Bill [Bill 75]—

Moved, "That the Order for the Second Reading be discharged,"—(*Mr. M'Laren*) 688

Motion *agreed to* :—Order *discharged* :—Bill *withdrawn.*

Habitual Drunkards Bill [Bill 27]—

Moved, "That the Bill be now read a second time,"—(*Dr. Cameron*) .. 688

After long debate, Motion *agreed to* :—Bill read a second time, and *committed* for *Monday* next

Landed Estates Court (Ireland) Leases Bill [Bill 83]—

Moved, "That the Bill be now read a second time,"—(*Mr. French*) .. 724

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day three months,"—(*Mr. Verner.*)

Question proposed, "That the word 'now' stand part of the Question:" —After short debate, Question put:—The House *divided;* Ayes 78, Noes 179; Majority 101.—(Div. List, No. 193.)

Words *added* :—Main Question, as amended, put, and *agreed to* :—Second Reading *put off* for three months.

Political Prisoners Bill [Bill 84]—

Moved, "That the Bill be now read a second time,"—(*Mr. Biggar*) .. 735

After short debate, it being a quarter of an hour before Six of the clock, the Debate stood adjourned till *To-morrow.*

Monuments Metropolis (No. 2) Bill [Bill 140]—

Moved, "That this House do now take into consideration the Lords' Amendments to the Bill,"—(*Sir James M'Garel-Hogg*) .. 736

Motion, by leave, *withdrawn* :—Consideration of Lords' Amendments *deferred* till *To-morrow.*

Municipal Corporations Acts Bill—*Ordered* (*Sir Henry Selwin-Ibbetson, Mr. Secretary Cross*); *presented,* and read the first time [Bill 238] 736

County Courts Jurisdiction (No. 3) Bill—*Ordered* (*Mr. Watkin Williams, Mr. Sampson Lloyd, Mr. Joseph Cowen*); *presented,* and read the first time [Bill 239] .. 736

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Motion *agreed to*:—Bill read 2ª accordingly, and *committed* to a Committee of the Whole House *To-morrow.*

THE ECCLESIASTICAL COMMISSIONERS — CASE OF MR. ARMSTRONG—Observations, The Earl of Sandwich, The Earl of Chichester; Reply, The Duke of Richmond and Gordon 744

VIVISECTION—ADDRESS FOR PAPERS—
Moved, "That an humble Address be presented to Her Majesty for, Return of the names of Hospitals or other places registered for experiments upon living animals under the 39th and 40th Vict. chap. 77; also the number of such experiments from the 1st January, 1877, to 1st January, 1878; and for the Reports of the Inspectors appointed under the Act,"—(*Earl De La Warr*) 753
After short debate, Motion (by leave of the House) *withdrawn.*

COMMONS, THURSDAY, JULY 4.

QUESTIONS.

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ORDERS OF THE DAY.

Epping Forest Bill [Bill 188]—

Moved, "That the Bill be now read the third time,"—(*Sir Henry Selwin-Ibbetson*) 766

Amendment proposed,

To leave out from the word "be" to the end of the Question, in order to add the words "re-committed, in order to insert an Amendment in Clause 30, to provide for the representation of the Metropolitan Board of Works on the Committee of Management,"—(*Mr. Fawcett*,)—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question:"—After short debate, Question put:—The House *divided;* Ayes 209, Noes 49; Majority 160.—(Div. List, No. 194.)

Main Question put, and *agreed to*:—Bill read the third time (Queen's *Consent* signified), and *passed.*

SUPPLY—Order for Committee read; Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair:"—

EDUCATION CODE—ELEMENTARY NATURAL SCIENCE—RESOLUTION—

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "it would be desirable to modify the Code of Education by adding Elementary Natural Science to the subjects mentioned in Article 19, c. 1,"—(*Sir John Lubbock*,)—instead thereof 777

Question proposed, "That the words proposed to be left out stand part of the Question:"—After debate, Question put:—The House *divided;* Ayes 68, Noes 37; Majority 31.—(Div. List, No. 195.)

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Roads and Bridges (Scotland) Bill [Bill 224]—
Further Proceeding on Consideration, as amended [2nd July] *resumed* .. 826
Question, "That the Bill, as amended, be now taken into Consideration," put, and *agreed to.*
After debate, Bill to be read the third time *To-morrow,* at Two of the clock.

Corrib (Galway) River Bill [Bill 225]—
Order for Second Reading read 843
Bill read a second time, and *committed* to a Select Committee of Five Members, Three to be nominated by the House, and Two by the Committee of Selection.

Truro Chapter Bill (*Lords*) [Bill 234]—
Moved, "That the Bill be now read a second time,"—(*Mr. Assheton Cross*) 844
Moved, "That the Debate be now adjourned,"—(*Mr. Courtney* :)—Motion, by leave, *withdrawn.*
Original Question put, and *agreed to* :—Bill read a second time, and *committed* for *Monday* next

Idiots, &c. (Ireland) Bill [Bill 149]—
Bill, as amended, *considered* 845
Bill to be read the third time *To-morrow,* at Two of the clock.

Monuments (Metropolis) (No. 2) Bill—
Moved, "To agree with the Lords' Amendments,"—(*Sir James M'Garel-Hogg*) 846
Motion *agreed to.*

Marriage Preliminaries (Scotland) Bill [Bill 86]—
Bill, as amended, *considered* 846
Bill to be read the third time *To-morrow,* at Two of the clock.

LORDS, FRIDAY, JULY 5.

INTERMEDIATE EDUCATION (IRELAND) BILL — Petition *presented,* Earl Granville 848

CRIME IN IRELAND—Question, Observations, Lord Oranmore and Browne; Reply, The Duke of Richmond and Gordon 848

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Public Health (Ireland) Bill (No. 133)—
Moved, "That the Bill be now read 2ª,"—(*The Lord President*) .. 851
Motion *agreed to* :—Bill read 2ª accordingly, and *committed* to a Committee of the Whole House on *Tuesday* next.

COMMONS, FRIDAY, JULY 5.

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ORDERS OF THE DAY.

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PROVISIONAL ORDERS FOR IRISH WATERWORKS — Question, Mr. Synan; Answer, The Attorney General for Ireland 856

ORDERS OF THE DAY.

Highways (*re-committed*) **Bill** [Bill 214]—

Bill *considered* in Committee [*Progress* 28*th June*] 857

After long time spent therein, it being ten minutes before Seven of the clock, Committee report Progress; to sit again upon *Tuesday* next, at Two of the clock.

The House suspended its Sitting at ten minutes to Seven of the clock.

The House resumed its Sitting at Nine of the clock.

ORDERS OF THE DAY.

SUPPLY—Order for Committee read; Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair:"—

RITUALISM—RESOLUTIONS—Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "an humble Address be presented to Her Majesty, praying that She will be graciously pleased to appoint a Royal Commission to inquire as to the teaching and practice by Clergy of the Church of England of Doctrines and Ceremonies not authorized by Law, or contrary to the Laws and usages of the Church as by Law established,"—(*Mr. Edward Jenkins*,)—instead thereof 901

Question proposed, "That the words proposed to be left out stand part of the Question:"—Amendment and Motion, by leave, *withdrawn*:—Committee *deferred* till *Monday* next.

Poor Law Amendment Act (**1876**) **Amendment Bill** [Bill 134]

Order for Consideration of Lords Amendments read 939

Moved, "That the said Amendments be now taken into Consideration,"—(*Mr. Mellor.*)

After short debate, Motion, by leave, *withdrawn*:—Lords' Amendments to be considered upon *Monday* next.

Tenant Right (**Ireland**) **Bill** [Bill 31]—

Order read, for resuming Adjourned Debate on Question [19th June], "That the Bill be now taken into Consideration:"—Question again proposed:—Debate *resumed* 944

Question put, and *agreed to*:—Bill *considered.*

After short debate, *Moved*, "That the Debate be now adjourned,"—(*Mr. Butt*:)—After further short debate, Question put:—The House *divided*; Ayes 19, Noes 52; Majority 33.—(Div. List, No. 198.)

Moved, "That this House do now adjourn,"—(*Sir Joseph M'Kenna*:)—After short debate, Motion, by leave, *withdrawn.*

Further Proceeding on Consideration, as amended, *deferred* till *Monday* next.

HABITUAL DRUNKARDS [EXPENSES]—

Committee to consider of authorising the payment, out of moneys to be provided by Parliament, of any Expenses which may be incurred under the provisions of any Act of the present Session to facilitate the control and cure of Habitual Drunkards (Queen's *Recommendation* signified), upon *Monday* next.

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Moved, "That the Bill be now read 2ª,"—(*The Lord Chancellor*) .. 956

Motion *agreed to*:—Bill read 2ª accordingly, and *committed* to a Committee of the Whole House *To-morrow*.

Foreign Jurisdiction Bill [H.L.]—*Presented* (*The Lord Chancellor*); read 1ª (No. 147) 956

COMMONS, MONDAY, JULY 8.

QUESTIONS.

Turkey—Crete and Mitylene—Question, Mr. Hayter; Answer, Mr. Bourke 957

Criminal Law (Ireland)—Case of Edward O'Kelly—Question, Mr. Biggar; Answer, Mr. J. Lowther 958

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Cattle Disease—Importation of Foreign Cattle—Questions, Sir Charles W. Dilke, Mr. Chamberlain, Mr. Goschen, Mr. W. E. Forster, Sir Frederick Perkins; Answers, Lord George Hamilton, Sir Henry Selwin-Ibbetson 960

Mercantile Marine—Training Schools and Ships Bill—Question, Captain Pim; Answer, Viscount Sandon 963

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The Eastern Question—Rumoured Defensive Treaty with Turkey—Questions, The Marquess of Hartington, Mr. Gladstone; Answers, Mr. Assheton Cross 965

ORDERS OF THE DAY.

Contagious Diseases (Animals) Bill (*Lords*) [Bill 204]—

Order for Committee read:—*Moved*, "That Mr. Speaker do now leave the Chair,"—(*Sir Henry Selwin-Ibbetson*) 967

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "having regard to the greatly enhanced price of animal food, this House is not prepared to adopt any measure which may tend further to diminish the supply of cattle from abroad,"—(*Mr. Torrens*,)—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question:"—After long debate, Amendment, by leave, *withdrawn*.

Main Question, "That Mr. Speaker do now leave the Chair," put, and *agreed to*:—Bill *considered* in Committee.

Committee report Progress; to sit again upon *Thursday*.

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Bishoprics Bill (*Lords*) [Bill 197]—

Moved, "That the Bill be now read a second time,"—(*Mr. Assheton Cross*) 1026

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day three months,"—(*Mr. Dillwyn.*)

Question proposed, "That the word 'now' stand part of the Question:" —After short debate, *Moved,* "That the Debate be now adjourned,"—(*Sir Andrew Lusk:*)—Question put, and *negatived.*

Original Question, "That the word 'now' stand part of the Question," put:—The House *divided;* Ayes 188, Noes 60; Majority 128.—(Div. List, No. 199.)

Main Question put, and *agreed to:*—Bill read a second time, and *committed* for *Friday,* at Two of the clock

Municipal Corporations Acts Bill [Bill 238]—

Moved, "That the Bill be now read a second time,"—(*Sir Henry Selwin-Ibbetson*) 1030

After short debate, *Moved,* "That the Debate be now adjourned,"—(*Mr. Gourley:*)—After further short debate, Motion *agreed to:*—Debate *adjourned* till *Monday* next.

Freshwater Fish Protection (*re-committed*) **Bill** [Bills 131-235]—

Order for Committee (*on re-comm.*) read:—*Moved,* "That Mr. Speaker do now leave the Chair,"—(*Mr. Mundella*) 1031

After short debate, Question put, and *agreed to:*—Bill *considered* in Committee.

After short time spent therein, Bill *reported,* without Amendment; to be read the third time *To-morrow,* at Two of the clock.

Poor Law Amendment Act (1876) Amendment Bill—

Order for Consideration of Lords' Amendments, read 1037

Lords' Amendments *considered;* one *agreed to,* several *disagreed to.*

Committee *appointed,* "to draw up Reasons to be assigned to The Lords for disagreeing to certain of their Amendments to the Bill:—List of the Committee .. 1047

Tenant Right (Ireland) Bill [Bill 31]—

Further Proceeding on Consideration, as amended [5th July], *resumed* .. 1048

Amendment [5th July] again proposed:—Question again proposed:—*Moved,* "That the Debate be now adjourned,"—(*Mr. Dillwyn:*)—Motion, by leave, *withdrawn.*

Original Question again proposed:—Amendment thereto, by leave, *withdrawn.*

An Amendment to Clause 2 *agreed to.*

Bill to be read the third time *To-morrow,* at Two of the clock.

Irish Church Act (1869) Amendment (No. 2) Bill—*Ordered* (*Mr. Shaw Lefevre, The O'Conor Don, Mr. Errington*); *presented,* and read the first time [Bill 244] .. 1049

Wormwood Scrubs Regulation Bill—*Ordered* (*Sir Henry Selwin-Ibbetson, Colonel Loyd Lindsay*); *presented,* and read the first time [Bill 243] 1049

Turnpike Acts Continuance, &c. Bill—*Ordered* (*Mr. Salt, Mr. Sclater-Booth*); *presented,* and read the first time [Bill 245] 1050

LORDS, TUESDAY, JULY 9.

THE EASTERN QUESTION—THE CONVENTION BETWEEN ENGLAND AND TURKEY —Questions, Earl Granville; Answers, The Duke of Richmond and Gordon 1050

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Public Health (Ireland) Bill (No. 133)—
House in Committee (according to Order 1051
Amendments made; the Report thereof to be received on *Thursday* next.

Innkeepers Bill (No. 136)—
Moved, "That the Bill be now read 2ª,"—(*The Lord Henniker*) .. 1052
Motion *agreed to*:—Bill read 2ª accordingly, and *committed* to a Committee of the Whole House on *Friday* next.

Charitable Trusts Bill [H.L.]—*Presented* (*The Lord Chancellor*); read 1ª (No. 150) .. 1053

COMMONS, TUESDAY, JULY 9.

PRIVATE BUSINESS.

Belfast Improvement Bill (by Order)—
Order for Consideration of Lords' Amendments read 1054
Moved, "That the said Amendments be now taken into Consideration,"—(*Mr. J. P. Corry*)
Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day three months,"—(*Mr. Biggar.*)
Question proposed, "That the word 'now' stand part of the Question:"—After short debate, Main Question put, and *agreed to*:—Lords' Amendments *considered.*
After further short debate, Lords Amendments *agreed to.*

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ORDERS OF THE DAY.

Roads and Bridges (Scotland) Bill [Bill 224]—
Moved, "That the Bill be now read the third time,"—(*The Lord Advocate*) 1071
Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day three months,"—(*Mr. Anderson.*)
Question proposed, "That the word 'now' stand part of the Question:"—After short debate, Question put, and *agreed to.*
Main Question put, and *agreed to*:—Bill read the third time, and *passed.*

Highways (*re-committed*) **Bill** [Bill 214]—
Bill *considered* in Committee [*Progress 5th July*] 1078
After long time spent therein, Committee report Progress; to sit again *this day.*

The House suspended its Sitting at Seven of the clock.

The House resumed its Sitting at Nine of the clock.

MOTION.

IRISH LAND ACT (1870)—RESOLUTION—

Moved, "That an humble Address be presented to Her Majesty, praying that She will cause an Inquiry to be made as to how far the Irish Land Act, 1870, in its present form, really secures to the Irish tenant the benefits intended to be conferred on him by it; how far Clause 3 has operated to check capricious eviction; whether, notwithstanding the provisions of the Act, excessive rents confiscating the improvements declared by it to be the property of the tenant have been exacted; and whether any, and, if so, what steps should be taken, by amending the Act or otherwise, to render it more effective,"—(*Mr. Errington*) 1112

After short debate, Amendment proposed, to leave out from the words "by it" to the end of the Question,—(*Mr. M'Carthy Downing.*)

Question proposed, "That the words proposed to be left out stand part of the Question:"—After further debate, Question put, and *negatived.*

Main Question, as amended, put: — The House *divided;* Ayes 67, Noes 134; Majority 67.—(Div. List, No. 202.)

ORDERS OF THE DAY.

Highways (*re-committed*) **Bill** [Bill 214]—

Bill *considered* in Committee 1153

After short time spent therein, Committee report Progress; to sit again upon *Friday*, at Two of the clock.

Sale of Food and Drugs Act (1875) Amendment Bill—*Ordered* (*Mr. Anderson, Sir Wilfrid Lawson, Mr. P. A. Taylor, Mr. Whitwell*); *presented*, and read the first time [Bill 252] 1162

Metropolitan Board of Works (Money) Bill—*Ordered* (*Sir Henry Selwin-Ibbetson, Mr. Chancellor of the Exchequer*); *presented*, and read the first time [Bill 251] .. 1162

Corrib (Galway) River Bill—Mr. DAVID PLUNKET, Mr. KING-HARMAN, and Sir JOSEPH M'KENNA nominated Members of the Select Committee.

Ordered, That Standing Order 236 be suspended in the case of the said Bill, and that the Committee have leave to sit and proceed upon Friday next,—(*Sir Henry Selwin-Ibbetson.*)

COMMONS, WEDNESDAY, JULY 10.

ORDERS OF THE DAY.

Real Estate Intestacy Bill [Bill 28]—

Moved, "That the Bill be now read a second time,"—(*Mr. T. B. Potter*) 1163

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day three months,"—(*Mr. Gregory.*)

Question proposed, "That the word 'now' stand part of the Question:"—After debate, Question put:—The House *divided;* Ayes 157, Noes 193; Majority 36.—(Div. List, No. 204.)

Words *added*:—Main Question, as amended, put, and *agreed to*:—Second Reading *put off* for three months.

Petty Sessions Clerks and Fines (Ireland) Bill—*Ordered* (*Mr. Attorney General for Ireland, Mr. James Lowther*); *presented*, and read the first time [Bill 253] .. 1200

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Motion *agreed to*:—Bill read 2^a accordingly.

INDIA—THE JAGHIRE OF BUNGANA PALLY—MOTION FOR AN ADDRESS—
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PRIVATE BUSINESS.

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After short debate, Motion *agreed to*:—Bill read a second time, and *committed*.

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THE CONGRESS OF BERLIN—THE PAPERS—Question, Mr. W. E. Forster; Answer, Mr. Assheton Cross 1245

TURKEY—ATROCITIES IN ROUMELIA—Question, Sir H. Drummond Wolff; Answer, Mr. Bourke 1245

PARLIAMENT — PUBLIC BUSINESS — Questions, Mr. Dillwyn, Sir George Campbell; Answers, The Chancellor of the Exchequer, Mr. Assheton Cross 1246

TURKEY—SLAVERY AND THE SLAVE TRADE—Questions, Mr. Baxter, Mr. W. E. Forster; Answers, Mr. Bourke 1247

ORDERS OF THE DAY.

Sale of Intoxicating Liquors on Sunday (Ireland) Bill—

Moved, "That the Bill be now taken into Consideration,"—(*The O'Conor Don*) 1248

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day three months,"—(*Mr. Onslow.*)

Question proposed, "That the word 'now' stand part of the Question:" —After long debate, Question put:—The House *divided;* Ayes 166, Noes 55; Majority 111.—(Div. List, No. 205.)

Main Question, "That the Bill be now taken into Consideration," put, and *agreed to:*—Bill *considered.*

After long time, *Moved,* "That the Debate be now adjourned,"—(*Sir Joseph M'Kenna:*)—After further short debate, Motion, by leave, *withdrawn.*

After further short debate, Bill to be read the third time *To-morrow.*

Police Expenses Act Continuance Bill—*Ordered* (*Sir Henry Selwin-Ibbetson, Mr. Chancellor of the Exchequer*); *presented,* and read the first time [Bill 256] .. 1320

LORDS, FRIDAY, JULY 12.

VIVISECTION — THE ROYAL COMMISSION — PETITIONS — Observations, Lord Truro; Reply, Viscount Cardwell 1321

ARMY—ARTILLERY—MUZZLE-LOADING AND BREECH-LOADING RIFLED GUNS—MOTION FOR RETURNS—

Moved, That an humble Address be presented to Her Majesty for—

1. Return of the number of muzzle-loading rifled guns in position or used ashore or afloat, divided into classes by calibres:
2. Return of the number of breech-loading rifled guns now withdrawn from the service that have been in position or used ashore or afloat, divided into classes by calibres:
3. Return of the number of casualties to such breech-loading rifled guns whereby they have been rendered wholly or temporarily unserviceable;

ARMY—ARTILLERY—MUZZLE-LOADING AND BREECH-LOADING RIFLED GUNS—*continued.*

4. Special Return of the number of breech-loading rifled guns, sea service, which were thus rendered wholly or temporarily unserviceable in the last naval campaign against the forces of the Daimios of Japan:
5. Gross cost of supplying the land and sea services with muzzle-loading rifled guns of all calibres,—(*The Lord Waveney*) 1325

After short debate, Motion (by leave of the House) *withdrawn.*

RAILWAY ACCIDENTS—Question, Observations, Lord Cottesloe; Reply, Lord Henniker 1330

Supreme Court of Judicature (Officers) Bill [H.L.]—*Presented* (*The Lord Chancellor*); read 1ª (No. 158) 1332

COMMONS, FRIDAY, JULY 12.

QUESTIONS.

POLLUTION OF RIVERS ACT, 1876—LEGAL PROCEEDINGS—Question, Sir Ughtred Kay-Shuttleworth; Answer, Mr. Sclater-Booth .. 1333

ARTIZANS DWELLINGS ACT, 1875—OPERATION IN IRELAND—Question, Sir Ughtred Kay-Shuttleworth; Answer, Mr. J. Lowther 1334

ARMY—THE COMMANDER-IN-CHIEF—LEAVE OF ABSENCE—Question, Major O'Beirne; Answer, Colonel Loyd Lindsay 1335

THE EASTERN QUESTION—THE CONVENTION WITH TURKEY—MONEY VOTE—Question, Sir Charles W. Dilke; Answer, The Chancellor of the Exchequer 1335

PARLIAMENT—PUBLIC BUSINESS—SCOTCH BILLS—Questions, Mr. Baxter; Answers, Mr. Assheton Cross 1336

ORDERS OF THE DAY.

Highways (*re-committed*) **Bill** [Bill 214]—

Bill *considered* in Committee [*Progress 9th July*] 1337

After long time spent therein, Bill *reported;* as amended, to be considered upon *Monday* next, and to be *printed.* [Bill 261.]

Admiralty and War Office (Retirement of Officers) Bill—

Order for Committee read:—*Moved,* "That Mr. Speaker do now leave the Chair,"—(*Sir Henry Selwin-Ibbetson*) 1367

Amendment proposed, to leave out from the word "That," to the end of the Question, in order to add the words "this House will, upon this day three months, resolve itself into the said Committee,"—(*Mr. Parnell,*)—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question:"—After short debate, Amendment, by leave, *withdrawn.*

Main Question, "That Mr. Speaker do now leave the Chair," put, and *agreed to:*—Bill *considered* in Committee 1375

After some time spent therein, it being ten minutes to Seven of the clock, Committee report Progress; to sit again *this day.*

[*July* 12.] *Page*

Thames River (Prevention of Floods) Bill—

Order read, for resuming Adjourned Debate on Question [8th April],

"That leave be given to bring in a Bill to amend 'The Metropolis Management Act, 1855,' and the Acts amending the same, so far as relates to the protection of the Metropolis from floods and inundations caused by the overflow of the River Thames; and for other purposes,"—(*Sir James M'Garel Hogg.*)

Question again proposed:—Debate *resumed* 1389

Question put, and *agreed to*:—Bill *ordered* (*Sir James M'Garel Hogg, Sir Andrew Lusk, Mr. Forsyth*); *presented*, and read the first time [Bill 262.]

The House suspended its Sitting at Seven of the clock.

The House resumed its Sitting at Nine of the clock.

ORDERS OF THE DAY.

SUPPLY—Order for Committee read; Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair:"—

THE CASE OF SERGEANT M'CARTHY—MOTION FOR AN ADDRESS—

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "an humble Address be presented to Her Majesty, praying Her Majesty to appoint a Royal Commission to inquire into the death of Charles M'Carthy, lately a political prisoner in Chatham Prison, and also into the treatment of political prisoners and of military political prisoners, and of securing a proper classification of convicts according to the nature of their offences, whether political or otherwise,"—(*Mr. Mitchell Henry*,)—instead thereof 1390

Question proposed, "That the words proposed to be left out stand part of the Question:"—After long debate, Question put:—The House *divided*; Ayes 101, Noes 35; Majority 66.—(Div. List, No. 210.)

Main Question proposed, "That Mr. Speaker do now leave the Chair:"—Motion, by leave, *withdrawn*:—Committee *deferred* till *Monday* next.

Admiralty and War Office (Retirement of Officers) Bill—

Bill *considered* in Committee 1424

After short time spent therein, Committee report Progress; to sit again upon *Monday* next.

LORDS, MONDAY, JULY 15.

THE EASTERN QUESTION—THE CONGRESS—THE TREATY OF BERLIN—Question, Earl Granville; Answer, The Duke of Richmond and Gordon 1426

Charitable Trusts Bill (No. 150)—

Moved, "That the Bill be now read 2ª,"—(*The Lord Chancellor*) .. 1427

Motion *agreed to*:—Bill read 2ª (according to Order), and *committed* to a Committee of the Whole House on *Thursday* next.

Marriage Preliminaries (Scotland) Bill (No. 149)—

Moved, "That the Bill be now read 2ª,"—(*The Earl of Camperdown*) .. 1428

After short debate, Motion *agreed to*:—Bill read 2ª (according to Order) and *committed* to a Committee of the Whole House on *Thursday* the 25*th instant*.

THE ISLAND OF CYPRUS—SANITARY CONDITION—Question, Observations, Lord Oranmore and Browne; Reply, The Duke of Richmond and Gordon 1433

Poor Law Amendment Act (1876) Amendment Bill—

Commons' Reasons for disagreeing to some of the Amendments made by the Lords, *considered* (according to Order) 1436

Moved, "Not to insist on the Amendment to which the Commons have disagreed,"—(*The Earl of Shaftesbury.*)

After short debate, on Question, Whether to insist? their Lordships *divided;* Contents 41, Not-Contents 27; Majority 14.

List of Cont. and Not-Cont 1440

Resolved in the *Affirmative.*

And a Committee appointed to prepare reasons to be offered to the Commons for the Lords insisting on their amendments: The Committee to meet *forthwith:* Report from Committee of reasons prepared by them; read, and *agreed to;* and a message sent to the Commons to return the said Bill with the reasons.

Tramways Orders Confirmation (No. 1) Bill (No. 130)—

Moved, "That the House do now resolve itself into Committee,"—(*The Lord Henniker*) 1441

After short debate, Motion (by leave of the House) *withdrawn;* and Order for the House to be put into Committee, *discharged.*

Tramways Orders Confirmation (No. 3) Bill (No. 128)—

Order of the Day for the House to be put into Committee, *discharged* .. 1448

Army (India)—The Indian Staff Corps—Question, Observations, Lord Waveney; Reply, Viscount Cranbrook;—short debate thereon .. 1449

COMMONS, MONDAY, JULY 15.

QUESTIONS.

Parliament—Representation of Clare—Question, Mr. Sullivan; Answer, The Attorney General 1462

India—Civil and Military Employment—General Richard Strachey—Question, General Sir George Balfour; Answer, Mr. E. Stanhope .. 1463

Public Business—Kew Gardens—Question, Sir Charles W. Dilke; Answer, Sir Trevor Lawrence 1464

Criminal Code (Indictable Offences) Bill—Question, Sir Henry James; Answer, The Chancellor of the Exchequer 1464

Cattle Disease—Inoculation—Question, Sir Patrick O'Brien; Answer, Sir Henry Selwin-Ibbetson 1465

Inland Navigation (Ireland)—The Northern System—Question, Mr. King-Harman; Answer, Sir Henry Selwin-Ibbetson 1465

Fatal Bathing Accidents—Scarborough—Question, Mr. Gourley; Answer, Mr. Sclater-Booth 1466

Post Office—Porterage on Telegrams—Question, Mr. A. H. Brown; Answer, Lord John Manners 1467

The Indian Budget—Question, Mr. Fawcett; Answer, The Chancellor of the Exchequer 1467

Ireland—Science and Art Museum, Dublin—Question, Mr. Gray; Answer, Lord George Hamilton 1467

Turkey—Free Trade—Question, Mr. J. Holms; Answer, The Chancellor of the Exchequer 1468

Spain and China—Emigration Treaty—Question, Mr. W. E. Forster; Answer, Mr. Bourke 1468

Intermediate Education (Ireland) Bill—The Commissioners—Question, Mr. Charles Lewis; Answer, The Chancellor of the Exchequer .. 1469

THE GERMAN EMPIRE — THE NETHERLANDS — Question, Lord Robert Montagu; Answer, Mr. Assheton Cross 1469

TURKEY—THE ASIATIC DOMINIONS OF THE SULTAN—Question, Lord Robert Montagu; Answer, Mr. Assheton Cross 1469

ARMY—RECRUITING SERGEANTS—Question, Mr. Ritchie; Answer, Colonel Stanley 1470

NAVY — GREENWICH HOSPITAL PENSIONERS — Question, Captain Price; Answer, Mr. W. H. Smith 1470

RAILWAYS — CONTINUOUS BRAKES — Question, Mr. M'Arthur; Answer, Viscount Sandon 147

THE BETTING ACTS — THE ADVERTISEMENT CLAUSES — Question, Mr. Anderson; Answer, Mr. Assheton Cross 1472

MOTION.

PARLIAMENT—PROGRESS OF PUBLIC BUSINESS—RESOLUTION—

Moved, "That after To-morrow, for the remainder of the Session, Orders of the Day have precedence of Notices of Motion upon Tuesdays, Government Orders having priority, and that Government Orders have priority upon Wednesdays,"—(*Mr. Chancellor of the Exchequer*) 1472

After short debate, Motion, by leave, *withdrawn.*

Resolved, That, for the remainder of the Session, Orders of the Day have precedence of Notices of Motion upon Tuesdays, Government Orders having priority, and that Government Orders have priority upon Wednesdays, — (*Mr. Chancellor of the Exchequer.*)

Ordered, That the Orders of the Day which are appointed for To-morrow, at Two of the clock, be deferred till To-morrow,—(*Mr. Chancellor of the Exchequer.*)

ORDERS OF THE DAY.

Intermediate Education (Ireland) Bill (*Lords*) [Bill 249]—

Moved, "That the Bill be now read a second time,"—(*Mr. J. Lowther*) .. 1482

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day three months," — (*Mr. Charles Lewis.*)

Question proposed, "That the word 'now' stand part of the Question:" —After long debate, Amendment, by leave, *withdrawn.*

Main Question put, and *agreed to*:—Bill read a second time, and *committed* for *Thursday.*

SUPPLY—*considered* in Committee—CIVIL SERVICE ESTIMATES—

(In the Committee.)

CLASS IV.—EDUCATION, SCIENCE, AND ART.

(1.) £434,091, to complete the sum for Public Education, Ireland.

(2.) £480, to complete the sum for Endowed Schools Commissioners, Ireland.

(3.) £1,799, to complete the sum for the National Gallery of Ireland.

(4.) £4,162, to complete the sum for the Queen's University, Ireland.

(5.) Motion made, and Question proposed, "That a sum, not exceeding £10,717, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1879, in aid of the Expense of the Queen's Colleges in Ireland" 1537

Motion made, and Question proposed, "That a sum, not exceeding £717, be granted, &c.,"—(*Major Nolan*:)—After short debate, Motion, by leave, *withdrawn.*

Original Question put:—The Committee *divided;* Ayes 172, Noes 18; Majority 154. —(Div. List, No. 211.)

(6.) Motion made, and Question proposed, "That a sum, not exceeding £1,881, be granted to Her Majesty, to complete the sum necessary to defray the Charge which

SUPPLY—CIVIL SERVICE ESTIMATES—Committee—*continued.*

will come in course of payment during the year ending on the 31st day of March 1879, in aid of the Royal Irish Academy" 1542

After short debate, *Moved,* "That the Chairman do report Progress, and ask leave to sit again,"—(*The O'Donoghue :*)—After further short debate, Motion, by leave, *withdrawn.*

Original Question put, and *agreed to.*

CLASS II.—SALARIES AND EXPENSES OF PUBLIC DEPARTMENTS.

(7.) Motion made, and Question proposed, "That a sum, not exceeding £5,350, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1879, for the Salaries of the Officers and Attendants of the Household of the Lord Lieutenant of Ireland, and other Expenses" 1545

Motion made, and Question proposed, "That a sum, not exceeding £5,026, be granted, &c.,"—(*Major O'Beirne :*)—After short debate, Motion, by leave, *withdrawn.*

Original Question put, and *agreed to.*

(8.) £20,178, to complete the sum for the Chief Secretary for Ireland, Offices.—After short debate, Vote *agreed to* 1546

(9.) Motion made, and Question proposed, "That a sum, not exceeding £1,568, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1879, for the Salaries and Expenses of the Office of the Commissioners of Charitable Donations and Bequests for Ireland" 1550

Moved, "That the Chairman do report Progress, and ask leave to sit again,"—(*Mr. Dillwyn :*)—After short debate, Motion, by leave, *withdrawn.*

Original Question put, and *agreed to.*

(10.) Motion made, and Question proposed, "That a sum, not exceeding £95,796, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1879, for the Salaries and Expenses of the Local Government Board in Ireland" 1551

Motion made, and Question proposed, "That a sum, not exceeding £91,396, be granted, &c.,"—(*Mr. Gray :*)—After short debate, *Moved,* "That the Chairman do report Progress, and ask leave to sit again,"—(*Mr. Meldon :*)—After further short debate, Question put:—The Committee *divided;* Ayes 32, Noes 78; Majority 46.—(Div. List, No. 212.)

Original Question again proposed :—*Moved,* "That the Chairman do now leave the Chair,"—(*Mr. O'Sullivan :*)—After short debate, Motion, by leave, *withdrawn.*

Question again proposed :—Motion, by leave, *withdrawn.*

Original Question put, and *agreed to.*

(11.) £4,524, to complete the sum for the Record Office, Ireland.

(12.) £12,659, to complete the sum for the Registrar General's Office, Ireland.

(13.) £16,244, to complete the sum for the Valuation and Boundary Survey, Ireland.

Resolutions to be reported *To-morrow;* Committee to sit again upon *Wednesday.*

Irish Church Act (1869) Amendment (No. 2) Bill [Bill 244]—

Moved, "That the Bill be now read a second time,"—(*Mr. Shaw Lefevre*) 1564

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day three months,"—(*Mr. James Lowther.*)

Question proposed, "That the word 'now' stand part of the Question :"—After short debate, *Moved,* "That the Debate be now adjourned,"—(*Mr. Errington :*)—Motion, by leave, *withdrawn.*

Question put, "That the word 'now' stand part of the Question :"—The House *divided;* Ayes 36, Noes 51; Majority 15.—(Div. List, No. 213.)

Words *added :*—Main Question, as amended, put, and *agreed to :*—Second Reading *put off* for three months.

LORDS, TUESDAY, JULY 16.

THE EASTERN QUESTION — THE CONVENTION BETWEEN ENGLAND AND TURKEY—Question, Observations, Lord Dunsany; Reply, Viscount Cranbrook 1572

NAVY—H.M.S. "EURYDICE"—Observations, Viscount Cranbrook .. 1575

COMMONS, TUESDAY, JULY 16.

QUESTIONS.

LICENSING LAWS AMENDMENT BILL—Question, Mr. Rodwell; Answer, Mr. Assheton Cross 1576

EDUCATION DEPARTMENT—EDUCATION MINUTE, 1875—"UNNECESSARY SCHOOLS"—Question, Mr. Pease; Answer, Lord George Hamilton .. 1576

CONTAGIOUS DISEASES (ANIMALS) BILL—TREATY OBLIGATIONS—Questions, Mr. Mundella, Mr. Gorst; Answers, The Chancellor of the Exchequer 1577

THE ANGLO-TURKISH CONVENTION—Questions, Lord Robert Montagu, Mr. Dillwyn; Answers, The Chancellor of the Exchequer 1578

THE EDUCATION DEPARTMENT — PROMOTIONS — Question, Mr. Dalrymple; Answer, Lord George Hamilton 1579

TUNIS AND TRIPOLI—Question, General Sir George Balfour; Answer, Mr. Bourke 1580

TURKEY—REPORTED CONSPIRACY AGAINST THE SULTAN—Question, Mr. Hayter; Answer, The Chancellor of the Exchequer 1580

DRAINAGE BOARD (IRELAND)—THE RIVER MULCAIR—Question, Mr. A. Moore; Answer, Mr. J. Lowther 1580

SPAIN—FISCAL LEGISLATION—DUTIES ON BRITISH GOODS—Question, Mr. Rathbone; Answer, Mr. Bourke 1581

THE EASTERN QUESTION—THE TREATY OF BERLIN—Question, Mr. Otway; Answer, Mr. Bourke 1581

ORDERS OF THE DAY.

CONTAGIOUS DISEASES (ANIMALS) [SALARIES, COMPENSATIONS, &c.]—

Order for Committee read:—*Moved*, "That Mr. Speaker do now leave the Chair,"—(*Sir Henry Selwin-Ibbetson*) 1582

After short debate, *Moved*, "That the Debate be now adjourned,"—(*Mr. Chamberlain*:)—After further short debate, Question put:—The House *divided;* Ayes 109, Noes 205; Majority 96.—(Div. List, No. 214.)

Question again proposed, "That Mr. Speaker do now leave the Chair" 1591

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "no Resolution will be satisfactory which does not admit of the consideration of the claims for compensation which may be preferred by other persons and bodies than the owners of cattle, and of providing other means of paying such claims than out of the local rates and moneys to be provided by Parliament,"—(*Mr. Mundella*,)—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question:"—After short debate, Question put:—The House *divided;* Ayes 196, Noes 126; Majority 70.—(Div. List, No. 215.)

Main Question proposed, "That Mr. Speaker do now leave the Chair" 1599

Moved, "That this House do now adjourn,"—(*Dr. Lush*:)—After short debate, Question put:—The House *divided;* Ayes 57, Noes 130; Majority 73.—(Div. List, No. 216.)

Main Question again proposed, "That Mr. Speaker do now leave the Chair" 1607

After short debate, Original Motion, by leave, *withdrawn*:—Order for Committee *discharged.*

Contagious Diseases (Animals) Bill (*Lords*) [Bill 204]—
Bill *considered* in Committee [*Progress* 8*th July*] 1608
After long time spent therein, Committee report Progress; to sit again *To-morrow.*

Admiralty and War Office (Retirement of Officers) Bill—
Bill *considered* in Committee [*Progress* 12*th July*] 1679
After short time spent therein, Bill *reported,* without Amendment; to be read the third time *To-morrow.*

SUPPLY—REPORT—Resolutions [15th July] *reported* 1685
First Resolution *postponed.*
Second to Ninth Resolutions, inclusive, *agreed to.*
Tenth Resolution:—After short debate, Resolution *agreed to.*
Remaining Resolutions *agreed to.*
Postponed Resolution to be considered upon *Monday* next.

East London Railway (Payment of Debts) Bill—
Ordered, That the East London Railway (Payment of Debts) Bill be referred to a Select Committee, Three to be nominated by the House, and Two by the Committee of Selection.

And, on July 17, Mr. STEPHEN CAVE, Sir HENRY JACKSON, and Mr. SAMPSON LLOYD *nominated* Members of the Select Committee,—(*The Chairman of Ways and Means.*)

Collection of Rates (Dublin) (No. 2) Bill—*Ordered* (*Mr. Meldon, Major Nolan*); *presented,* and read the first time [Bill 264] 1686

COMMONS, WEDNESDAY, JULY 17.

ORDERS OF THE DAY.

CONTAGIOUS DISEASES (ANIMALS) [SALARIES, COMPENSATIONS, &c.]—
Considered in Committee.

(In the Committee.)

Resolved, That it is expedient to authorize the payment, out of moneys to be provided by Parliament, of Salaries and Allowances of Officers and persons acting in the Veterinary Department of Her Majesty's Privy Council Office; and of the Charges and expenses incurred in the maintenance and management of that Department; also to authorize the payment of Compensations, whether out of moneys to be provided by Parliament, or otherwise, which may become payable under the provisions of any Act of the present Session for making better provision respecting Contagious and Infectious Diseases of Cattle and other Animals.

Resolution to be reported.

Moved, "That the Report be received To-morrow,"—(*Sir Henry Selwin-Ibbetson*) 1687

After short debate, *Moved,* "That this House do now adjourn,"—(*Sir Charles W. Dilke*:)—After debate, Motion, by leave, *withdrawn.*

Original Question put:—*Ordered,* That the Report be received To-morrow.

Contagious Diseases (Animals) Bill (*Lords*) [Bill 204]—
Bill *considered* in Committee [*Progress* 16*th July*] 1697
After long time spent therein, Committee report Progress; to sit again *To-morrow.*

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Congress of Berlin—The Correspondence and Protocols—Observations, The Earl of Beaconsfield 1753

The noble Earl *presented* (by Command) Correspondence relating to the Congress at Berlin, with the Protocols of the Congress.

After long debate, Correspondence and Protocol ordered to lie on the Table. [*Turkey*, No. 39 (1878).]

COMMONS, THURSDAY, JULY 18.

QUESTIONS.

University Commission—The Medical Professorships—Question, Dr. Cameron; Answer, The Chancellor of the Exchequer 1843

Greenwich Hospital Funds—Question, Mr. P. A. Taylor; Answer, Mr. W. H. Smith 1844

Prison Discipline (Ireland)—Questions, Mr. J. Cowen, Mr. Mitchell Henry; Answers, Mr. Assheton Cross 1845

Russia and Turkey—The War Indemnity—Questions, Mr. Otway; Answers, The Chancellor of the Exchequer 1845

Army—The Army and Militia Reserves—Question, Major Nolan; Answer, Colonel Loyd Lindsay 1846

Prison Discipline—Personal Search—Questions, Mr. Mitchell Henry; Answers, Mr. Assheton Cross 1847

Water Companies (Metropolis)—Increased Rates—Question, Colonel North; Answer, The Chancellor of the Exchequer 1848

Arklow Harbour (Ireland)—Question, Mr. Parnell; Answer, Sir Henry Selwin-Ibbetson 1848

Navy—Naval Artillery Volunteers—Question, Captain Pim; Answer, Mr. W. H. Smith 1849

Navy—The Accountant General of the Navy—Question, Captain Pim; Answer, Mr. W. H. Smith 1849

Intermediate Education (Ireland) Bill—Question, Mr. Charles Lewis; Answer, The Chancellor of the Exchequer 1850

The Judicial Body (Scotland)—Question, Sir George Campbell; Answer, Mr. Assheton Cross 1850

Captain Hooper's Life-Saving Apparatus—Question, Mr. Anderson; Answer, Viscount Sandon 1851

Metropolis—The Islington and Deptford Cattle Markets—Question, Sir Charles W. Dilke; Answer, Mr. Alderman Cotton .. 1851

Army—Department of Contracts—Question, General Sir George Balfour; Answer, Lord Eustace Cecil 1852

Parochial Charities (Metropolis)—A Royal Commission—Question, Mr. Fawcett; Answer, Mr. Assheton Cross 1852

The Eastern Question—The Mediterranean Fleet—Detention of British Seamen—Question, Lord Robert Montagu; Answer, Mr. W. H. Smith 1852

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ORDERS OF THE DAY.

Contagious Diseases (Animals) Bill (*Lords*) [Bill 204]—

Bill *considered* in Committee [*Progress 17th July*] 1854

After long time spent therein, Committee report Progress; to sit again *To-morrow*, at Two of the clock.

Page

Metropolitan Board of Works (Money) Bill [Bill 251]—
Bill *considered* in Committee 1936
After short time spent therein, Bill *reported;* as amended, to be considered *To-morrow,* at Two of the clock.

Telegraphs Bill (*Lords*) [Bill 257]—
Second Reading *deferred* till *Monday* next 1941

Valuation of Lands (Scotland) Amendment (*re-committed*) **Bill**—
Bill *considered* in Committee 1941
After short time spent therein, Committee report Progress; to sit again upon *Tuesday* next.

LORDS, FRIDAY, JULY 19.

ISLAND OF CYPRUS — SLAVERY — Question, Observations, Earl Granville; Reply, The Marquess of Salisbury:—Short debate thereon .. 1948

Roads and Bridges (Scotland) Bill (No. 157)—
Moved, "That the Bill be now read 2ª,"—(*The Lord President*) .. 1950
After short debate, Question put, and *agreed to.*
Moved, "That the Bill be referred to a Select Committee,"—(*The Earl of Rosebery*:)—After short debate, on Question? *Resolved* in the *Negative*: —Bill *committed* to a Committee of the Whole House on *Monday* next.

COMMONS, FRIDAY, JULY 19.

QUESTIONS.

MERCANTILE MARINE — COAL-LADEN SHIPS — RECOMMENDATIONS OF THE ROYAL COMMISSION ON SPONTANEOUS COMBUSTION OF COAL AT SEA— Question, Mr. Childers; Answer, Viscount Sandon 1967
TOBACCO DUTIES ACTS, 1830—THE CULTIVATION OF TOBACCO IN IRELAND— Question, Mr. O'Sullivan; Answer, The Chancellor of the Exchequer 1968
POST OFFICE—MONEY ORDER DEPARTMENT—BOY CLERKS—Question, Sir Charles W. Dilke; Answer, Lord John Manners 1969
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THE EASTERN QUESTION—THE CONGRESS OF BERLIN AND ANGLO-TURKISH CONVENTION—Question, The Marquess of Hartington; Answer, The Chancellor of the Exchequer; Observations, The Marquess of Hartington 1972

ORDERS OF THE DAY.

Contagious Diseases (Animals) Bill (*Lords*) [Bill 204]—
Bill *considered* in Committee [*Progress* 18*th July*] 1974
After long time spent therein, Committee report Progress; to sit again upon *Monday* next.

PRISON OFFICERS [SUPERANNUATION]—
Considered in Committee.
(In the Committee.)
Resolved, That it is expedient to amend the Prisons Acts of 1877, so far as regards the Apportionment of Superannuation Allowances between the Treasury and the Local Authority.
Resolution to be reported upon *Monday* next.

The House suspended its Sitting at Seven of the clock.

The House resumed its Sitting at Nine of the clock.

SUPPLY—Order for Committee read; Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair:"—
[House counted out.]

LORDS, MONDAY, JULY 22.

PARLIAMENT — HOUSE OF LORDS—THE VENTILATION OF THE HOUSE — Question, Observations, Earl Granville; Reply, The Lord Chancellor 2018
RECENT FAMINES IN INDIA — Question, Observations, Lord Napier and Ettrick; Reply, Viscount Cranbrook 2021

Freshwater Fish Protection Bill (No. 155)—
Moved, "That the Bill be now read 2^a,"—(*The Earl of Morley*) .. 2036
Motion *agreed to:*—Bill read 2^a accordingly, and *committed* to a Committee of the Whole House on *Thursday* next.

Weights and Measures Bill (No. 161)—
Moved, "That the Bill be now read 2^a,"—(*The Lord Henniker*) .. 2038
After short debate, Motion *agreed to:*—Bill read 2^a accordingly, and *committed* to a Committee of the Whole House on *Thursday* next.

Roads and Bridges (Scotland) Bill (No. 157)—
House in Committee (according to Order) 2044
Amendments made; the Report thereof to be received *To-morrow.*

COMMONS, MONDAY, JULY 22.

NOTICE OF AMENDMENTS AND QUESTION.

EASTERN AFFAIRS—THE MARQUESS OF HARTINGTON'S RESOLUTIONS—Notice of Amendments, Dr. Kenealy, Mr. Plunket 2049
THE EASTERN QUESTION — ANNEX TO THE ANGLO-TURKISH TREATY — Notice of Question, Mr. Rylands 2050

QUESTIONS.

CHURCH OF ENGLAND—QUEEN ANNE'S BOUNTY BOARD — Question, Dr. Cameron; Answer, Mr. Assheton Cross 2050
THE EASTERN QUESTION—THE ANGLO-TURKISH CONVENTION—THE TRIBUTE OF CYPRUS—Question, Mr. Puleston; Answer, The Chancellor of the Exchequer 2051
MUNICIPAL ELECTIONS—CARLISLE—Question, Mr. Chamberlain; Answer, Mr. Assheton Cross 2051
CRIMINAL LAW—REFORMATORY SCHOOLS—Question, Mr. Paget; Answer, Mr. Assheton Cross 2052
ARMY—THE ARMY AND MILITIA RESERVES—Question, Mr. Rathbone; Answer, Colonel Stanley 2052

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ROUMANIA—COMMERCIAL TREATY—Question, Mr. Serjeant Spinks; Answer, Mr. Bourke 2053
ARMY—THE AUXILIARY FORCES—THE ROYAL CUMBERLAND MILITIA—Question, Mr. Sullivan; Answer, Colonel Stanley 2054
THE ANGLO-TURKISH CONVENTION—INDIAN TROOPS IN CYPRUS—Question, Mr. E. Jenkins; Answer, Colonel Stanley 2054
TURKEY—TREATY OF BERLIN—ARTICLE 18—Question, Sir George Campbell; Answer, The Chancellor of the Exchequer 2055
THE MUTINY ACT—THE EUROPEAN AND NATIVE INDIAN ARMY—Question, Mr. Muntz; Answer, The Attorney General 2056
THE EASTERN QUESTION—THE SAN STEFANO TREATY—Question, Mr. Otway; Answer, The Chancellor of the Exchequer 2056
TELEGRAPHS BILL—Question, Mr. Whitwell; Answer, Lord John Manners 2057
TURKEY—REPORTED FIRING ON A BOAT'S CREW BY THE RUSSIANS—Questions, Lord Robert Montagu; Answers, Mr. W. H. Smith 2057
THE EASTERN QUESTION—RUSSIAN TROOPS IN TURKEY—Question, Lord Robert Montagu; Answer, The Chancellor of the Exchequer .. 2058
THE FOREIGN OFFICE—THE ABSTRACTION OF A STATE PAPER—THE ANGLO-TURKISH MEMORANDUM—Question, Mr. Childers; Answer, Mr. Bourke 2058
ARMY—POISONING OF SOLDIERS AT MALTA—Question, Mr. Muntz; Answer, Colonel Stanley 2059
THE CIVIL SERVICE—ADMIRALTY AND WAR OFFICE (RETIREMENT OF OFFICERS) BILL—Question, Mr. O'Clery; Answer, Sir Henry Selwin-Ibbetson 2059
SOUTH AFRICAN CONFEDERATION—THE TRANSVAAL TERRITORY—Question, Mr. Courtney; Answer, Sir Michael Hicks-Beach 2060
SUPPLY—THE SUPPLEMENTARY ESTIMATES—Question, Mr. Childers; Answer, The Chancellor of the Exchequer 2060
PARLIAMENT—COUNTY OF CLARE—SIR BRYAN O'LOGHLEN—Question, Mr. Sullivan; Answer, Sir Michael Hicks-Beach 2060
ARMY—HALF-PAY—THE ROYAL WARRANT—Question, Major O'Beirne; Answer, Colonel Stanley 2061
POOR LAW AMENDMENT ACT (1876) AMENDMENT BILL—Questions, Mr. Mellor, Sir H. Drummond Wolff; Answers, The Chancellor of the Exchequer 2061
THE ANGLO-TURKISH CONVENTION—THE DESPATCH OF MAY 30—Question, Mr. Goschen; Answer, Mr. Bourke 2062
PARLIAMENT—ORDER OF PUBLIC BUSINESS—TREATY OF BERLIN—Questions, The Marquess of Hartington; Observations, Mr. Butt; Reply, The Chancellor of the Exchequer 2063

ORDERS OF THE DAY.

Contagious Diseases (Animals) Bill (*Lords*) [Bill 204]—

Bill *considered* in Committee [*Progress* 19*th July*] 2064

After long time spent therein, Committee report Progress; to sit again upon *Wednesday*.

INTERMEDIATE EDUCATION (IRELAND)—

Considered in Committee.

(In the Committee.)

Resolved, That it is expedient to authorise the extension of the several provisions of "The Irish Church Act, 1869," with respect to Advances to be made by the Commissioners for the Reduction of the National Debt to the Commissioners of Church Temporalities, and with respect to the powers of the Commissioners of Her Majesty's Treasury in relation to the Money to be so raised, to the provisions of any Act of the present Session to promote Intermediate Education in Ireland.

Resolution to be reported *To-morrow*.

[*July* 22.] *Page*

Prison (Officers' Superannuation) Bill—Resolution [July 19] *reported*, and *agreed to :* —Bill *ordered* (*Sir Henry Selwin-Ibbetson, Mr. Secretary Cross*) ; *presented*, and read the first time [Bill 269] 2146

INDIAN NATIVE TROOPS (TRANSPORT AND EMPLOYMENT ABROAD)—
Select Committee *appointed*, "to inquire into the cost of the recent movement of Her Majesty's Indian Troops from India to Malta, and to report in what respects, if any, the arrangements for employing European and Indian Native Troops together, outside the limits of India, require modification,"—(*Secretary Colonel Stanley.*)
And, on July 23, Committee *nominated :*—List of the Committee .. 2147

Arranmore Polling District (Ireland) Bill—*Ordered* (*Sir Joseph M'Kenna, Marquess of Hamilton, Mr. Charley*); *presented*, and read the first time [Bill 270] .. 2148

Locomotives on Highways (Scotland) Bill—*Ordered* (*The Lord Advocate, Sir Matthew Ridley*); *presented*, and read the first time [Bill 271] 2148

TWENTY-FIRST PARLIAMENT OF THE UNITED KINGDOM.

COMMONS.

NEW WRITS ISSUED.

MONDAY, JUNE 24.

For *Middlesborough*, *v.* Henry William Ferdinand Bolckow, esquire, deceased.

TUESDAY, JUNE 25.

For *the Borough of Flint*, *v.* Peter Ellis Eyton, esquire, deceased.

MONDAY, JULY 22.

For *Haddington District of Burghs*, *v.* Sir Henry Robert Ferguson Davie, baronet, Manor of Northstead.

NEW MEMBERS SWORN.

FRIDAY, JULY 5.

Middlesborough—Isaac Wilson, esquire.

MONDAY, JULY 8.

Borough of Flint—John Roberts, esquire.

HANSARD'S

PARLIAMENTARY DEBATES,

IN THE

FIFTH SESSION OF THE *TWENTY-FIRST PARLIAMENT* OF THE
UNITED KINGDOM OF *GREAT BRITAIN* AND *IRELAND*,
APPOINTED TO MEET 5 MARCH, 1874, AND THENCE CONTINUED
TILL 17 JANUARY, 1878, IN THE FORTY-FIRST YEAR OF THE
REIGN OF

HER MAJESTY QUEEN VICTORIA.

FIFTH VOLUME OF THE SESSION.

HOUSE OF LORDS,

Friday, 21*st June*, 1878.

MINUTES.]—PUBLIC BILLS—*First Reading*—Tramways Orders Confirmation (No. 1) * (130); Intermediate Education (Ireland) (132).
Committee—Monuments (Metropolis) (No. 2) (100).
Committee—Report—Pier and Harbour Orders Confirmation (No. 2) * (110).
Report—Public Health Act (1875) Amendment (106-131).

PUBLIC HEALTH ACT (1875) AMENDMENT BILL—(No. 106.)

(*The Earl of Kimberley.*)

REPORT OF AMENDMENTS.

Amendments *reported* (according to Order).

EARL DE LA WARR said, it was his intention to take the opinion of their Lordships upon the measure when it came on for third reading.

THE EARL OF KIMBERLEY said, he proposed to take the third reading of the measure next Tuesday.

Further Amendments made; and Bill to be read 3ª on *Tuesday* next; and to be *printed*, as amended. (No. 131.)

MONUMENTS (METROPOLIS) (No. 2) BILL—(No. 100.)

(*The Viscount Midleton.*)

COMMITTEE.

Order of the Day for the House to be put into Committee, read.

VISCOUNT MIDLETON, in moving that the House do now resolve itself into Committee, said, it might be convenient to their Lordships if he indicated the position in which the measure now stood; and, in doing so, he could not refrain from protesting against the course which had been pursued in regard to it. The Bill had been read a second time in their Lordships' House after a few observations and suggestions had been made with respect to its provisions; and he then, with the permission of the

House, named a day for going into Committee. That day was the Monday after the Whitsuntide Recess; and no Notice whatever was given to him that there would be any objection to the measure being proceeded with on that date. Last Monday, however, on moving that the House go into Committee on the Bill, he found that there were some objections to the measure; and his noble Friend at the Table (the Earl of Redesdale) had desiderated further time for its consideration. Indeed, his noble Friend appeared to wish that the whole of Clause 4 of the Bill, which referred to the general power of the Metropolitan Board of Works as to monuments, should be struck out; but it was obviously impossible for any Member of their Lordships' House, who had charge of a measure of this description, which had already passed the other branch of the Legislature, to get up at a moment's Notice and say that he consented to such a deletion, and, accordingly, he consented to delay the Bill until to-day. But he confessed he could have wished that more Notice had been given to him of the objections entertained to the measure. The noble Lord opposite (Lord Stanley of Alderley) objected to Clause 3, which provided that the obelisk known as Cleopatra's Needle should be placed under the care of the Metropolitan Board of Works, who should preserve and maintain it for the benefit of the public, and who might, "from time to time, erect, in connection therewith, any statues or other works of art;" and his noble Friend seemed to desire that the Government should be invested with some sort of authority over that Board. The noble Lord, however, scarcely appeared to understand what the real position of matters was. The Metropolitan Board of Works was constituted by the Act of 1855; and it was perfectly true that, at that time, the First Commissioner of Works had a certain control over its operations; but, in 1862, this was found to be so inconvenient, and was so much objected to by the First Commissioner himself, that, after full discussion, a Bill was passed taking away the power which had previously been reserved to him. What his noble Friend proposed to do was to restore, in the present instance, the very authority which had been advisedly removed by the wisdom of Parliament 15 years ago; and, not only so, but to place the First Commissioner of Works in a position which that right hon. Gentleman himself had not the slightest wish to occupy. He hoped the noble Lord would withdraw the Amendment, of which he had given Notice, and under which it would be necessary for the Metropolitan Board of Works to obtain the consent and approval of Her Majesty's First Commissioner; but, if the Amendment were proposed, he should feel bound to ask that the sense of the House be taken upon it. He was prepared, however, to make an alteration which, he hoped, might, to some extent, satisfy his noble Friend. He was willing to strike out the words "from time to time" at the end of the clause, and to substitute for the words "statues or other" the word "appropriate." This particular provision of the measure would then run—

> "When the obelisk has been erected on the Victoria Embankment, the same shall thereupon be under the care and control of the Board, and the Board shall preserve and maintain the same for the benefit of the public, and the Board may erect in connection therewith any appropriate works of art."

He now came to the objections of the noble Earl at the Table (the Earl of Redesdale). That noble Earl took exception to Clause 4, which was in terms which it might be as well to quote—

> "The Board may, from time to time, accept as a gift or bequest any monument, or any moneys for the purchase of any monument, and erect or permit the erection of any monument upon any of the said embankments or lands"—those of the Thames—"and the Board may preserve and maintain every such monument, and shall have the control and management thereof for the benefit of the public."

The noble Earl, in objecting to this clause, appeared to be afraid that some future Board of Works might be induced to purchase statues at the expense of the ratepayers; but that might be avoided by a verbal Amendment in the clause which he was prepared to make, and which would restrict the power of the Board in erecting or permitting the erection of monuments, to such monuments or works of art as had been given by private donors, or purchased with sums not raised from the ratepayers, but bequeathed for that special purpose. Even if he were not prepared, however, to make an such Amendment, he thought that the Bill, having passed through "another place," where the interests of the taxpayers were specially watched, their Lordships might feel satisfied in throwing upon the other branch of the Legislature the responsibility of dealing with this particular part of the question. Other statues had already been erected upon the Embankment. Those statues at the present moment were, to a certain extent, in charge of the Metropolitan Board of Works; and it was obviously undesirable that such works—interesting, important, and valuable—should not be placed under some legitimate custody. He did not believe that that custody could be in safer hands than those of the Metropolitan Board of Works. He had been asked—"Can you not trust to the discretion of the First Commissioner of Works?" He did not hesitate to say that there had been First Commissioners to whom he would not have been ready to extend the confidence which he placed in the right hon. Gentleman who now occupied that position; but it was to be remembered that there were often changes in the Office in question, even during the continuance of the same Administration; and, upon a consideration of the whole circumstances of the case, he would not be willing to accept any Amendment which substituted the responsibility of the First Commissioner of Works for that of the Chairman of the Metropolitan Board. He hoped that what he had said, and the suggestion which he had made, would remove the difficulty of the noble Earl (the Earl of Redesdale), in regard to the 4th clause; but, if the noble Earl were not satisfied, the burden of proposing that which might have the effect of leaving the Embankment in its naked deformity would rest upon his own shoulders.

Moved, "That the House do now resolve itself into Committee."—(*The Viscount Midleton.*)

THE EARL OF REDESDALE said, he entirely approved of the 3rd clause as it had been amended by the noble Viscount. It would be a serious matter for any one man to say that such a statue, or such a monument, should or should not be erected on the Embankment; and he could well understand the First Commissioner of Works hesitating to undertake such a responsibility. At the same time, it seemed to him very undesirable that Parliament should deliberately give the power of determination in such a matter to a body like the Metropolitan Board of Works. That Board was elected from the different vestries. No adequate responsibility would rest upon it, as a whole, in dealing with the question; and it might lie with a mere majority to decide whether a monument should be put up at the public expense, against, perhaps, the opinion of their Chairman, in whom the noble Viscount was disposed to confide. As had been truly said, there were already monuments on the Embankment. There was the statue of John Stuart Mill; but, in connection with the application for permission to erect that statue, difficulties had arisen as to the site—one near to Outram being asked for—and those difficulties were only solved after a good deal of negotiation. There was also the statue of Brunel, an estimable man, and a distinguished civil engineer, who had, no doubt, been well remunerated for the services he had performed in that capacity. But what was most known about him?—simply, that he had invented the broad gauge, which had caused expense and trouble to the railway company which adopted it, and of which more than half had been already removed, and the remainder would probably be gone in a few more years. He did not think such a power ought to be granted as that which was sought under Clause 4, and therefore he should be glad of its omission from the Bill. It would not be expedient that Parliament should give authority to the Metropolitan Board of Works to erect and to maintain at the public expense what statues they thought fit.

LORD STANLEY OF ALDERLEY said, when he gave Notice of his Amendment, that the consent and approval of Her Majesty's First Commissioner of Works should be obtained, he did not regard the question as one of competency between the Chairman of the Metropolitan Board of Works and the First Commissioner of Works. He desired to have some check upon the discretion of the Board of Works, and to have the control vested in some one on whom Parliament could call for an explanation. The Chairman of the Board of Works need not necessarily have a seat in Parliament; and, if he had, there was no obligation on his part to answer questions. He would, however, consent to the Amendment in the clause proposed by the noble Viscount who had charge of the Bill.

Motion *agreed to;* House in Committee accordingly.

Clauses 1 and 2 *agreed to.*

Clause 3.

The words "from time to time" were *omitted;* as were, also, the words "statues or other," and the word "appropriate" was *inserted* in lieu of "statues or other."

Clause, as amended, *agreed to.*

Clause 4.

THE EARL OF KIMBERLEY said, he entirely agreed with the observations of the noble Earl (the Earl of Redesdale), that this clause ought to be omitted; and, as the noble Earl, being in the Chair, could not make a Motion to that effect, he would himself move the omission of Clause 4.

Amendment *agreed to.*

Clause *omitted.*

Clause 5 *agreed to.*

Remaining Clauses *agreed to.*

Amendments made; the Report thereof to be received on *Tuesday* next.

INTERMEDIATE EDUCATION (IRELAND) BILL [H.L.]

(*The Lord Chancellor.*)

BILL PRESENTED. FIRST READING.

THE LORD CHANCELLOR: My Lords, in Her Majesty's Most Gracious Speech at the commencement of the Session, we were informed that the attention of Parliament would be called to the question of Intermediate Education in Ireland. The discharge of this duty would have more naturally belonged to the Representative of the Irish Government in the other House of Parliament; but at this period of the Session time is precious, and in the state of Parliamentary Business it is desirable, if a measure on the subject is to be introduced, it should be introduced now in your Lordships' House. My Lords, the subject of Intermediate Education in Ireland is a very large one, and a long history might be written of the various attempts and various failures to improve the more liberal branches of education in that country. During the last century attempts were sometimes made by the Parliament of Ireland, and since the Union these attempts have been repeated by the Imperial Parliament. My Lords, I do not propose to go to-night into that history. I prefer rather to accept what your Lordships will find to be now established facts, and to state to your Lordships what the Government proposes as the remedy for evils as to the existence of which there is not any controversy. My Lords, if I describe what is the state of Intermediate Education in Ireland at present, I can only use an extremely short expression—its state is decidedly bad. Intermediate Education in that country is defective in quality, and it is inadequate in quantity. Your Lordships have two documents of great authority in the Library of this House in which may be found the whole of the information on this subject. A Report was made by a Royal Commission in the year 1858—a Commission which inquired into the question of Endowed Schools in Ireland—and they stated that Intermediate Education in that country was in a most unsatisfactory state. In the year 1871 another Report was made. That was the Report of a Commission presided over by a noble Earl now present (the Earl of Powis), and they inquired into the primary education of Ireland; but in their Report they devoted a very interesting chapter to the question of Intermediate Education. The Report deprecates the extension of the public system of primary education to education in the higher branches of learning; but, at the same time, it allows that the resources in Ireland for Intermediate Education were of the most defective kind. In addition to these two documents, the contents of which are known to many of your Lordships, there is some further information on the subject of a very striking, and, I am very sorry to say, of a very deplorable kind in the Return of the Census Commissioners of 1871. My Lords, there is one item in the statistics of that Census which I own appears to me to be almost incredible. There is an enumeration given of the number of boys in Ireland, who, in a particular month—June, 1871—were engaged in any educational establishment in Ireland in learning either Latin, or Greek, or any modern languages, or mathematics. Your Lordships will observe I do not say learning all these subjects, but learning any one of them, and the number of boys in a country with a population of 5,500,000 who were learning any of these subjects was 10,814, or not more than two in every 1,000 of the population. We have no accurate statistics with regard to England; but I believe that it is supposed there are in England at least 10, and probably much nearer 15 in every 1,000 receiving instruction in these matters. I find—though I will not mention the name—that there is one county in Ireland in which there was not a single boy learning any of the subjects which I have mentioned. At the very outset of this question, I have no doubt your Lordships will naturally make the inquiry, what is the state of the endowments for Intermediate Education in Ireland, and can the deficiency which undoubtedly exists be remedied by some better application of the endowments of that country? Now, that is a very proper question, and one to which a clear and distinct answer must be given. I might be content with the answer which was given by the Report to which I have referred. What the Commissioners of 1858 said on this subject was that the deficiencies admitted to exist in the system of Intermediate Education in Ireland could not be supplied by a re-distribution, or different application of the educational endowments already in being. That was their Report; but, my Lords, I will mention other facts which seem to put this matter beyond all doubt, and I am glad to have an opportunity of mentioning them, for I am aware out-of-doors there is some sort of general idea that there is some great fund of endowments in Ireland for the purpose of Intermediate Education which might be better applied, and which might answer all the requirements of the case. Now, your Lordships will, I think, be surprised to find that the whole of the sum available in Ireland for this class of schools—I put aside endowments for primary schools—is only £13,000 a-year, and that includes the value of buildings, which is an important item, and the number of pupils, according to the last Return, was 1,350. But, my Lords, this sum of £13,000 must be further divided. In order to give an accurate impression as to the bearing of these figures on this subject, I must subdivide these endowments into exclusive and non-exclusive schools. By exclusive schools I mean schools which are confined to the children of a particular denomination; and in Ireland it so happens, in regard to these endowments, that they are nearly all confined to children of the Protestant religion. Now, putting aside the exclusive endowments, and taking the non-exclusive, which are open to all denominations, I find that the non-exclusive endowments amount to £7,230 a-year; and that figure must be again analyzed, because it includes in the amount what are the Royal Free Schools, which are six in number—their income is £6,800 a-year, and of this a considerable part is for exhibitions in Trinity College—and of these, five are in Ulster. You have only, therefore, what remains of the £13,000 a-year, after deducting £7,230. These are, shortly, the facts as regards endowments, and they fully bear out the Report of the Commission in 1858, that it is impossible, by any re-adjustment of these endowments, to provide for the deficiency in the matter of Intermediate Education. It is quite right these endowments should be employed in the most effective way, and Her Majesty's Government have stated in "another place" that they propose to appoint a small Commission to inquire into the management of these endowments, in order to see whether the property cannot be made more productive. Putting aside the question of the Endowed Schools, I have now to ask your Lordships to consider what seem to Her Majesty's Government to be the particular reasons why it is necessary, both that the State should interfere on this subject, and why it is extremely important that something should be done at this present time. My Lords, the first reason is this—The neglect of Intermediate Education is one which is immediately connected with University Education in Ireland, and every person of all Parties is anxious, and has professed the greatest anxiety, to place the University Education of Ireland upon the best possible footing, and to extend it where it requires extension. But in order to do this, all who have thought on the subject are met at the outset with this difficulty—the necessity of obtaining a supply of students for the Universities in Ireland. These Universities, whatever they may be, and whatever may be their particular form, must depend for their supply on the intermediate schools; and if you have not proper provision for intermediate schools, it is quite useless endeavouring to improve your University Education. In the great educational building the primary schools are the foundation, and the University is the roof. You have laid in Ireland your primary foundation wide and deep enough; but it is quite idle to complete the edifice, until you have paid some attention to the walls and intermediate parts of the building. Therefore, the first reason why it appears to Her Majesty's Government absolutely necessary that some steps should be taken to improve Intermediate Education, is that these steps must be preliminary to what we are all anxious to consider—namely, the question of University Education in that country. My Lords, the next reason which appears to me almost imperatively to call for the action of the State in this matter is, that Intermediate Education in Ireland is, as I have said, in an unsatisfactory condition; and I am afraid it is not merely in an unprogressive condition, but, I am sorry to say, it is retrogressive. I will state some facts on that subject which appear to me to be extremely serious, and well deserve your Lordships' consideration. The Census of 1871, to which I have already referred, contains this information—In 1861, there were 729 intermediate schools in Ireland; and in 1871, just 10 years afterwards, the 759 had fallen to 574. Now, my Lords, that is a very grave and serious matter, and I want to ask your Lordships to consider what is the reason of that falling off. Here we have absolutely no controversy. I have looked into the reasons given by different persons—persons of all denomitions in Ireland—and I find they are all in perfect agreement as to the cause of this falling off, and they attribute it—and I am sorry to say there is too much reason for thinking they are right—to the action of the State, and I will tell your Lordships how. You have introduced into Ireland one of the most efficient systems of primary education in the world—you have provided, and provided largely, for the primary education of the children in that country, and you have done this at an extremely large cost. Parliament makes large payments every year for primary education in England and in Scotland; but the people themselves in England and Scotland aid very largely in the expenses which are incurred for primary education. But in Ireland Parliament provides the education, and provides it almost entirely at the expense of the State, and the general taxation of the country. What has been the result of this? I am sorry to say that the result has been this—and there is no dispute about it—that you have gone far to dry up the intermediate schools of that country by your primary education. There is no doubt before this system of primary education there were a great number of what we term private adventure schools in Ireland, in which of pupils, two-thirds or three-fourths were pupils receiving primary education, and one-third or one-fourth classical or higher education. These schools were maintained as private adventures; but when the State stepped in and established a system of primary instruction, it was impossible for any of these private adventure schools to compete, and the pupils who were there under primary education were withdrawn, and it became impossible any longer to maintain the schools themselves as commercial undertakings. Now, this is not a matter open to any question, and I beg to quote two authorities on the subject. The Commission on Endowed Schools in 1858 say—

> "The evidence which we have received on the subject of Intermediate Education manifests the prevalence of a very strong feeling respecting the existence of deficiencies which now, to a great extent, debar the middle classes from the enjoyment of the inestimable advantages of good instruction. So far are these from diminishing that, in the opinion of the many witnesses, they are on the increase. This circumstance they agree in attributing to the fact that while, on the one hand, the national schools now afford to the poorer classes an elementary education of a better kind, and at a far cheaper rate than that formerly given by the private schoolmasters, on the other hand, they have displaced the schools kept by these masters, who augmented the subsistence which they chiefly derived from the humbler scholars by the fees received for instructing the children of the middle classes in the higher branches of education."

And in the summary of their Report they say—

"We are of opinion that the establishment of a system of primary education by the Government has had the effect of greatly diminishing the resources which, though, no doubt, scanty and imperfect, formerly enabled the middle classes, to a certain extent, to provide a suitable education for their children; and that there seems to be no prospect that the void thus left will be supplied by exertions of a purely voluntary nature."

My Lords, that was the Report of the Commission of 1858; and the other Commission, the Report of which was made in 1870, speaks in an almost more emphatic manner—

"The Rev. Dr. M'Ivor, who has warmly advocated the introduction of classics into National Schools, says (13,639):—'The previously existing schools were very defective in many respects, particularly in the lower English subjects, yet they were mainly supported by their English pupils. The country schoolmaster would have perhaps six, eight, or ten pupils in the classical class, and 30 boys in English classes. The classical pupils were the nucleus of all superior teaching; yet, when the English boys were taken away by the competition of the national system, the master was not able to keep the classical school. These classical schools, with their superior English, are now all gone, and we have only primary schools in their stead.'"

I think, without dwelling longer upon that part of the subject, your Lordships will agree with me that a grave question is submitted for the consideration of Parliament—namely, whether there is not on the part of the State a special duty to examine into and, if possible, to improve the Intermediate Education of that country, when we find that it is the action of the State itself in regard to the primary schools which has exhausted the resources that formerly existed for that education. That is the second reason which, as we think, makes it imperative that some step should be taken to remedy the defects of the present system. The third reason is one of somewhat the same kind, and I think is also worthy of your Lordships' attention. The action of the State has been very remarkable in another respect—namely, with reference to what are called in that country diocesan schools. The history of those schools is very singular. They were founded in the reign of Queen Elizabeth, and the intention was that they should be analogous to the English grammar schools. They were called in that, or in subsequent reigns—"The Free Grammar Schools." They were called diocesan schools, because there was to be one in every diocese in Ireland, and as there were at that time 34 dioceses, it was intended that there should be 34 of these schools. They were to be free schools, and grammar schools, and although they were called diocesan schools, they were not in their foundation required to have any connection with the Church in Ireland, but were to be open to children of all denominations. The master was to be appointed by the Lord Lieutenant, and the salary of the master was to be provided for by a tax upon the Bishop and Clergy of the diocese—the Bishop contributing one-third, and the beneficed Clergy the remaining two-thirds. The expense of building the school-house was to be provided by an assessment upon the inhabitants of the diocese. There can be no doubt at all what the character of these schools was to be. They were to be free and undenominational schools. The Committee of the House of Commons on Foundation Schools, in their Report, in the year 1838, describe them in very clear and emphatic terms. They state—

"That the diocesan schools were intended by the Legislature to be open to all, without distinction of sect or class, and open gratuitously, at least to a large proportion; and further, that there is no law in force requiring the teacher to be of the Established religion; and Mr. Quin, the former secretary, declares no religious test is exacted, nor is there anything which could preclude a Roman Catholic or a Presbyterian from being appointed by the Lord Lieutenant (in whose hands such right is vested) to the mastership of any one of these schools."

In 1781, a very important Act of the Irish Parliament was passed, enabling the Grand Juries in Ireland to make presentments for the building and repairing of these schools. You had, therefore, in Ireland provision by the State for a very extensive system of Intermediate Education for the whole of the 34 dioceses, and provision, also, for the salaries of the schoolmasters and for school buildings. But although there was this extensive provision, the greatest number of diocesan schools for which warrants were ever issued by the Lord Lieutenant for the appointment of schoolmasters was 19 in place of 34; and in 1869, when the Irish Church Act passed, the number had dwindled down to 14. I believe the reason was that there was great reluctance on the part of Grand Juries to make presentments with regard to the buildings; but certain it is that a system which was intended to provide a free school for every diocese in the country was supporting only 14 of these schools in 1869, leaving 20 dioceses without any such provision. I cannot help thinking that the name of these schools led to a little misapprehension when the Irish Church Act came before Parliament. They were schools for which a tax was to be levied upon the Clergy, but they were not schools for the benefit of the Church. They were schools as to which the Church was paymaster, but they were to be free schools for the benefit of the whole country. So far as they existed in 1869 there were 20 dioceses without them; and to that extent, therefore, the Church benefited. The Bishops and Clergy of those dioceses had been subject to no deductions from their incomes for the payment of the schoolmasters, and when those incomes came to be assessed for compensation, no deduction from the annuities was made in respect of claims on account of the schools; though, for upwards of 300 years, the Church had been receiving very considerable sums of money which ought to have been expended in provision for diocesan schools. When the Act of 1869 was passed, the 14 schoolmasters who alone were in existence at that time received annuities in proportion to the value of their salaries. Their annuities amounted to £1,477, and 11 out of the 14 have commuted their annuities for gross sums. The result is, that the public is unprovided with the means of Intermediate Education which was provided for them by Parliament. They were to have had 34 grammar schools, and they remain without any part of the provision which was intended for them. That is a very remarkable fact, and I think your Lordships cannot but feel that, if what was intended 300 years ago had been carried into effect, we might have a very different state of things at this moment in regard to education. Now, my Lords, these are the three prominent reasons which have satisfied Her Majesty's Government that it is their duty to make a proposal on this subject to Parliament—the necessity of providing Intermediate Education as the means of supplying the Universities, and remedying the disastrous effect the action of the State, in regard to primary education, and in regard to these diocesan schools, has had upon Intermediate Education in Ireland. And, my Lords, the proposal of Her Majesty's Government I shall state very shortly. We propose that Parliament should devote to the purpose of encouraging Intermediate Education—in the way I am going to mention — a sum not exceeding £1,000,000 sterling of the surplus of the Irish Church Fund. We propose that, in the first place, a Board should be established, to be called "The Intermediate Education Board for Ireland;" and that this Board should consist of seven members, to be appointed by the Lord Lieutenant. We propose that there should be two Assistant Commissioners, receiving pay, and that they should also act as secretaries to the Board, and, when required, as Inspectors. We further propose that a system of Exhibitions and Prizes should be established in the way I am about to describe. We propose that Examiners should be appointed who would hold an annual examination in the months of June and July. We propose that those examinations should be held at convenient centres throughout the country, where a sufficient number of pupils can be collected for the examination. We propose that the subjects for examination should be these—First, the ancient languages, literature, and history of Greece and Rome; second, the English language, literature, and history; third, the French, German, and Italian languages, literature and history; fourth, mathematics, including arithmetic and bookkeeping; fifth, national sciences; and sixth, such other subjects of secular education as the Board may, from time to time, prescribe. We propose that these examinations should apply to a three years' course of instruction, and that the maximum ages at which the pupils should present themselves for the examinations should be 16, 17, and 18 years respectively. We propose that the examinations, though at different centres, should be conducted in an uniform manner for the whole country. The total number of pupils who pass in three subjects being ascertained by these examinations, we propose that there should be one prize for every 10 pupils who so pass. We propose that the prizes should be of this kind—That for the first year there should be an Exhibition or Exhibitions, not exceeding £20 a-year, and tenable for three years; that for the second year there should be an Exhibition or Exhibitions, not exceeding £30 a-year, and tenable for two years; and that for the third year there should be a Prize, not exceeding £50, which, of course, would be for that year alone. We propose that there should be certain conditions attached to these Exhibitions. In the first place, that they should not be awarded to a student who held any Scholarship Exhibition or free Scholarship from any other endowment. In the second place, we propose that the student must satisfy the Board that he has pursued his studies in Ireland for 12 months preceding the examination; and, in the next place, that to hold any of the Exhibitions which are continuing Exhibitions, the holder must present himself and pass an examination in three subjects, with a certificate of merit, in each succeeding year. So much for the proposals for rewarding the students who pass the examinations; but we propose further that absolute merit should carry a certain benefit to those to whom it is attributable. We propose to effect that in this way—that results' fees should be paid to managers of schools who send forward students able to pass in not less than two of the subjects. The scale upon which we propose that these payments shall be made is set out in a Schedule to the Bill. We propose that the payment for two subjects for the first year should not exceed £3; for three subjects, £4; four subjects, £5; that in the second year the payment should be an amount not exceeding £4 for two subjects, £5 for three subjects, £6 for four subjects, and £7 for five subjects; and that in the third year the maximum payments should be, for two subjects, £5; for three subjects, £6; for four subjects, £7; for five subjects, £8; and for six subjects, £10. My Lords, we propose that these payments should be made for what I may call, in an expressive homely phrase, the "manufactured article." We do not propose to undertake any responsibility with respect to the school, or the mode of conducting it. We do not propose to direct or control the system of administration, or the organization of the training-staff. We propose to make only three conditions, but these conditions must be adhered to. We propose that the student must have attended the school to which the payment is made from the 15th of October of the year previous to that of the examination, and have made during that time at least 100 attendances. We propose that, for the purpose of this rule, a school shall mean any educational establishment, not being a National School which affords classical or scientific education, and which has a certain minimum number of pupils attending. We propose this with the view of providing that the payments should be made, not to private teachers, but to the managers of *bonâ fide* schools. And we propose, as the third condition, that the Board shall not make any payment to the managers of any school unless it is shown to the satisfaction of the Board that no pupil attending such school is permitted to remain in attendance during the time of religious instruction which the parents or guardians of such pupil shall not have sanctioned, and that the time for giving such religious instruction is so fixed that no pupil not remaining in attendance is excluded directly or indirectly from the advantages of the secular education given in the school. We propose that Rules shall be framed for the purpose of effecting the objects I have mentioned; that they shall be laid in the usual way before Parliament; and that if any of the Rules shall be disapproved of by either House within 40 days after they have been presented, those rules shall become void. We also propose that certain Rules which your Lordships will find in the Schedule of the Bill, and the object of which I have generally stated, shall be the Rules for the conduct of the Board. I have now shortly explained the proposals of the Bill which we recommend to your Lordships' approval, and which we hope will receive a most favourable consideration both from your Lordships and from the other House of Parliament. I may be too sanguine; but I trust most earnestly and sincerely that this Bill may pass into law in the present Session, that we may have the satisfaction of knowing that we have at last made a step neither small nor unimportant—a step much needed and much too long delayed — towards improving the material and intellectual welfare of large classes of our fellow-subjects in Ireland.

Bill to promote Intermediate Education in Ireland—*Presented* (The Lord Chancellor).

Lord WAVENEY said, this measure appeared to him to be one which would be generally acceptable to the people of Ireland, and he was glad the noble and learned Lord had introduced it. He had seen a great deal of the working of educational matters in Ireland, and this Bill would do much to re-animate that excellent system of grammar schools which formerly existed in the country.

Bill read 1ª, and to be *printed.* (No. 132.)

House adjourned at half past Six o'clock, to Monday next, Eleven o'clock.

HOUSE OF COMMONS,

Friday, 21st June, 1878.

MINUTES.]—Public Bills—*Second Reading*—Inclosure Provisional Orders * [192]; Metropolis Improvement Provisional Orders Confirmation (Bowman's Buildings, Marylebone, &c.) * [217]; Medical Act (1858) Amendment (No. 2) [196], *debate further adjourned.*

Committee—Valuation of Property [94]—R.P.; Highways (*re-comm.*) * [214], *deferred;* Weights and Measures (*re-comm.*) * [143]—R.P.; Public Works Loans (Ireland) Act (1877) Amendment [219]—R.P.

Committee—Report—Innkeepers * [211].

Considered as amended—Public Health (Ireland) * [199].

The House met at Two of the clock.

QUESTIONS.

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SOUTH AFRICA — OUTBREAK OF THE NATIVE TRIBES—THE ZULUS.

QUESTION.

Mr. W. H. JAMES asked the Secretary of State for the Colonies, Whether it is true that war has broken out with the Zulus, and that in consequence troops have been despatched from the Cape?

Sir MICHAEL HICKS-BEACH: Sir, we have no information whatever of war having broken out with the Zulus; but it is probable that, having regard to the unsettled condition of that part of South Africa, some additional troops have been sent from the Cape to the Transvaal.

RAILWAYS—TRAIN MANAGEMENT.

QUESTION.

Major O'GORMAN asked the President of the Board of Trade, Whether he can exercise any authority to compel the officials of the Great Western Railway Company to refrain from putting into second motion trains which, having arrived at their destination and come to a standstill, are once more moved forwards at the moment that passengers are in the act of alighting, the motion in question placing travellers in peril?

Viscount SANDON: Sir, I regret to learn from a letter which the hon. and gallant Gentleman has sent me that on a recent occasion he was subjected to the inconvenience, not to say danger, to which his Question refers; but I have to inform him that I have no power whatever to interfere with railway companies in these matters.

LAW AND JUSTICE — THE QUEEN v. CASTRO—THE WITNESS MINA JURY.

QUESTION.

Dr. KENEALY asked the Secretary of State for the Home Department, On whose authority he stated in his place in Parliament, on the 3rd of August 1875, that Mina Jury, a witness against the defendant in the Tichborne case, and who is now in penal servitude for several robberies, was not the same person as Mercivina Caulfield, who was sentenced to seven years' transportation for robbery in Dublin in 1847; whether the person who gave him the information is still in the service of the Government or receiving a pension; and, whether it was proved at the trial of the detectives at the Old Bailey in September last by Superintendent Williamson of Scotland Yard, that Mercivina Caulfield and Mina Jury were one and the same person, and that she had been so convicted in Dublin as alleged.

Mr. ASSHETON CROSS, in reply, said, that what he had stated with regard to the identity of a person named Mercivina Caulfield with Mrs. Mina Jury, was that the only official record that could be found in Ireland showed that in June, 1847, a woman named Mercivina Caulfield was sentenced to seven years' transportation for felony, and sailed in 1848 to Hobart Town; but no documents could be found to show what subsequently became of her, and no person who could identify her with Mrs. Mina Jury, and that the latter entirely denied that she was the same person. The detective authorities at Scotland Yard were not aware of the fact to which the hon. Member had alluded at the time she was examined as a witness in the Tichborne trial. The gentleman who gave the information on which he based his answer in August, 1875, held, and worthily filled, a high position in the service—a position which he trusted he would long remain in. The only reference to Mrs. Mina Jury which the Solicitor to the Treasury could find in the evidence given by Superintendent Williamson at the trial of the detectives at the Old Bailey in September last was in an answer in which he said that one of the defendants was engaged on the 4th of July, 1875, in inquiries into a case which related to Mercy A. Corfield and Mrs. Mina Jury.

ORDERS OF THE DAY.

VALUATION OF PROPERTY BILL.

(*Mr. Sclater-Booth, Mr. Chancellor of the Exchequer, Mr. Salt.*)

[BILL 94.] COMMITTEE.

Bill *considered* in Committee.

(In the Committee.)

Preliminary.

Clause 1 (Short title) *agreed to.*

Clause 2 (Extent of Act).

Mr. J. G. HUBBARD raised the question, whether the clause was in its right place? In its present position, it might be taken as an intimation to the Committee that there was nothing in the Bill which could affect Scotland and Ireland. Could the right hon. Gentleman in charge of the Bill say that there was nothing in the subsequent clauses which would impose a liability on England that was not to be subsequently imposed on Scotland and Ireland?

Mr. SCLATER-BOOTH said, that whenever a Bill was introduced which was intended to apply to England only, words such as those in this clause were placed in the fore-front of the Bill.

Mr. MUNTZ suggested, that if there were any reason for the doubt suggested by the right hon. Gentleman (Mr. J. G. Hubbard) the clause might be postponed.

Clause *agreed to.*

PART I.

Procedure for Valuation of Property.

(1.) *Assessment Committee.*

Clause 3 (Appointment of assessment committee).

Mr. BIGGAR moved, in page 1, line 15, after "least," to insert "but not over one-half." He said the Amendment was a *bonâ fide* improvement. The clause provided that at least one-third of the members of the assessment committee should be *ex-officio* guardians, but it did not state any maximum number; so that it might happen that the whole of the assessment committee might be *ex-officio* guardians. Therefore, he proposed that the *ex-officio* guardians should not exceed one-half of the assessment committee. The principle on which the Bill seemed to proceed was that there ought to be about an equal number of both elected and *ex-officio* guardians, and therefore he thought the Government could make no objection to his proposed Amendment.

Amendment proposed, in page 1, line 15, after the word "least," to insert the words "but not over one-half."—(*Mr. Biggar.*)

Question proposed, "That those words be there inserted."

Mr. HARCOURT thought that the Amendment hardly did justice to the guardians. It might, perhaps, not be considered an impertinence in him to suggest that the hon. Member (Mr. Biggar) had not much experience amongst English guardians. He (Mr. Harcourt) imagined that what the right hon. Gentleman the President of the Local Government Board had in view in framing this clause, was, in the first place, to secure the services of a certain number of persons, who had knowledge, experience, and time at their disposal, to assist in the management of these affairs; and next, to obtain a certain number of guardians to take their proper share in the conduct of the business. Service on such committees meant a sacrifice of time—it meant a sacrifice of money; and time to a busy man, and money to those who were not very well off, were grave considerations. He believed that the guardians, if they had their choice, would select the very men to serve on these committees, whose numbers the Amendment of the hon. Member would be instrumental in curtailing; and, therefore, on the ground of its unfairness to the guardians, he would vote against the Amendment.

Mr. SCLATER-BOOTH said, that, practically, the *ex-officio* guardians were always fewer in number than the elected guardians, so that they would be in a minority on these committees. The clause was only a transcript of the existing law, which had worked well for 15 or 20 years; and which, so far as he knew, had not given rise to any complaint that the magistrates took too large a part in the business of the guardians.

Mr. RYLANDS thought it important that the present constitution of the assessment committee should not be interfered with. Had the right hon. Gentleman the President of the Local Government Board attempted a real reform of county administration, he should have been glad to have seen the adoption of such checks as the hon. Member for Cavan suggested; but, in the present state of matters, he did not see the necessity for them. The guardians could safely be intrusted with the duty of saying how many *ex-officio* guardians should be placed on the committee. The proviso that at least a third of the committee should be *ex-officio* guardians was, no doubt, intended to prevent the committees being composed exclusively of elected guardians, and that was, he presumed, in accordance with the former Act. He did not wish to interfere with the position held by *ex-officio* guardians on the assessment committees. He was quite aware that much was owing to magistrates in the management of local business; but he could not allow this clause—the first one in the Bill treating of the position of the magistrates—to pass, without saying that it was of importance to the public that when great public responsibilities were being placed upon the magistrates, something should also be done to take away the political taint attaching to their appointment. He knew unions in which gentlemen lived who, from position and ability, were in every way suitable for places in the commission of the peace, and who would, therefore, be eligible as *ex-officio* guardians; but who were kept out of those positions owing to the political predilections of the Lord Lieutenant of the county. This was a crying injustice, which tainted the administration of local affairs; and while he was unprepared to interfere with the present proposal, he thought it was worthy of consideration what check could be put upon the scandals created by the Lords Lieutenants. On this clause, he believed he had a right to make these remarks; and he hoped a time would come when there would be some mode of controlling the Lords Lieutenants in these appointments. The Lord Chancellor had a nominal authority, but had no real power to interfere, and on both sides of politics the appointment to the magistracy was often partial.

Mr. ASSHETON thought the question raised by the hon. Member for Burnley (Mr. Rylands) was not before the Committee. The Amendment which was before the Committee appeared to be based on the fallacious supposition that the interests of the *ex-officio* guardians and those of the elected guardians were opposed. His experience did not bear out this view. He had known differences between town and country guardians, but not between elected and *ex-officio* guardians. There was not the remotest chance of assessment committees being entirely made up of *ex-officio* guardians. There was much difficulty in getting them to attend to county duties as they ought; and, therefore, in this Bill a provision had been made to meet cases where *ex-officio* guardians in the proportion of one-third could not be found willing to serve. The hon. Member for Cavan need have no fear that the assessment committees would be filled by *ex-officio* guardians.

Sir JOSEPH M'KENNA thought the hon. Member for Burnley (Mr. Rylands) had made a very inconsequential speech. He had declaimed against a tribunal in consequence of the appointments thereto being in the hands of Lords Lieutenants, and yet he opposed the Amendment, which would make it impossible that the assessment committees could be injuriously affected by the political bias which he complained of. If it were almost impossible to get *ex-officio* guardians to the number of one-third to sit on these Boards, he wished to know what objection could be maintained against an Amendment which, if adopted, would leave on the face of the Statute evidence of the fairness with which it was passed? If the Amendment were passed, it could, at least, do no harm, and it was not unusual to legislate for remote contingencies. It being agreed that a certain portion of the *ex-officio* guardians were persons appointed by reason of political preferences, what objection could there be to an Amendment which would provide against an undue political infusion into these assessment committees? He hoped the President of the Local Government Board would admit the words suggested by the hon. Member for Cavan.

MR. STANSFELD said, the hon. Member who had just spoken appeared to have entirely misapprehended the argument of the hon. Member for Burnley. That hon. Member had not supported the alteration of the clause, because the clause simply stated the existing law. He had not argued that the existing *ex-officio* guardians would carry any political bias into the assessment committees. He had simply made a statement to the Committee, the accuracy of which it would be difficult to question, that the absolute power of the Lord Lieutenant in the nomination of magistrates led to the exclusion, from political bias, of many gentlemen fitted to be on the magisterial bench, and fitted to be members of the assessment committee. There was, in his (Mr. Stansfeld's) opinion, no very strong reason against the Amendment; but to those practically acquainted with the law, there was a sufficient reason for not pressing it in the fact that, practically, there was no chance of any Board of Guardians electing more than half of the assessment committee from the *ex-officio* guardians. The difficulty was to get the smaller proportion to serve. As a general rule, Parliament did not alter a clause, which was meant as a consolidation and re-enactment of existing law, unless on sufficient cause shown. This did not appear to be the case in the present instance.

MAJOR NOLAN remarked, that this question might become so important to Ireland that Irish Members ought not to let it be decided without a division, if necessary. English Bills were often made models for Irish ones; and Irish Members ought to protest against its being made possible to throw the whole valuation of the property of a district into the hands of a class practically drawn from the landowners.

MR. O'DONNELL thought he had seldom heard more intensely Conservative speeches than those made by the hon. Member for Burnley and the right hon. Gentleman who had spoken from the front Opposition Bench (Mr. Stansfeld). Both admitted that they had objections to placing too much power in the hands of *ex-officio* guardians as at present constituted. Why, then, did they not try to give some practical effect to their objections? So far as he could see, the only reason why these advanced Liberals declined to give practical effect to their objections was, that this clause was a re-statement of the existing law. Was it, then, the new Liberal principle that existing law was not to be amended? That would seem to be the only conclusion to be drawn from the arguments addressed to the Committee by the hon. and right hon. Members. If the Government thought it necessary to provide that at least one-third of the assessment committees should consist of *ex-officio* guardians, why did not they make some similar provision protecting the rights of elected guardians? The Committee were told that it was very difficult to get *ex-officio* guardians to work on these committees, and, in some cases, almost impossible. Therefore, in cases where one-third did not consent to serve on the assessment committee, there would be no assessment committee under the provisions of the Bill in that particular district. Of course, that did not appear in the Bill; but it was the legitimate conclusion to be formed from the logic with which the clause had been supported. Why should not the whole matter be left open, so that the electors might choose a committee entirely of elected guardians, or of *ex-officio* guardians, or of both, as they saw fit? He certainly saw no reason for special protection of the interests of *ex-officio* guardians, who were already abundantly protected by their position and influence in their respective counties.

Mr. SCLATER-BOOTH thought it must be obvious that the hon. Member who had last spoken had made his speech without having read the clause on which he was commenting. His (Mr. Sclater-Booth's) objection to the Amendment was, that he thought it conceivable that in some parts of England it might be the pleasure of the guardians, as a whole, to have more than the half of the assessment committee composed of magistrates, and he thought they had a right to exercise that option.

Mr. PARNELL said, the *ex-officio* guardians were already given a very full representation on the Poor Law Board, and, if they attended, it was within their power to place as many of their number as they chose upon the assessment committees. But the clause, as it stood, apparently sought to provide that even if *ex-officio* guardians did not attend when these assessment committees were being appointed, there should be a certain proportion of them placed upon these committees. Power was given to these absentees and neglecters of duty to secure for themselves of at least one-third on these committees. The Committee should either leave the Boards of Guardians to decide by vote among themselves what proportion of *ex-officio* guardians should sit on the assessment committees, or say that there should be a certain proportion of elected guardians as well as *ex-officio* guardians. The clause did neither of these two things, but made a stipulation which was unfair to the elected guardians, unless modified by the proposal of the hon. Member for Cavan. He would, therefore, support his hon. Friend if he went to a division. If he appeared to take a greater interest in this Amendment than the hon. Member for Burnley, it was because in Ireland there was, perhaps, more reason to regret the effects of such a system of electing guardians than in England. Of course, it would be the better for England if any benefit were derived from the attention which Irish Members paid to this subject. If they did not, then this was the misfortune, as well as the fault, of the system which brought Irish Members to that House. He had known repeatedly cases of *ex-officio* members of Boards of Guardians brought over to election meetings from all parts of the world. He had known them come from London, from Yorkshire, from Paris—one had come even from Italy—to a guardians' meeting, when there was a place to be given away. These were the men who never, on any other occasion, attended to their duties, or took any part in the ordinary business of the Poor Law Board. He therefore maintained that, as the question of valuation in Ireland was to be dealt with, and as this Bill would be quoted as a precedent, Irish Members were entitled to insist, and justified in insisting, that their views should be heard in this matter.

Mr. SULLIVAN said, it was greatly to be regretted that the administration of the two countries could not go on independently, because it must be exceedingly inconvenient to Englishmen that these Irish views should be imported into English discussions. It was quite recently that these views had been offered in such debates, and Irish Members might be right or wrong in interposing; but their view was, that they were coerced into doing so by finding that when an Irish Bill was brought before the House on the lines of an English measure no explanation of it could be elicited, excepting that its principles had already been decided in the case of an English Bill, and that it would be waste of time to discuss it. With a certain Resolution looming in the distance, it was very easy to foresee that when the Irish measure came on these charges of waste of time would be likely to be renewed. His experience in Poor Law Boards with *ex-officio* guardians for some years past had been such as to bring him to that House determined to do all he could to defeat this *ex-officio* principle in connection with Poor Law amendment. He should like to have a Parliamentary Return showing the attendance of the *ex-officio* guardians at the ordinary meetings of those Boards, and their attendance when there were situations to be given away. It would be found that the *ex-officio* guardians left the business of the union almost entirely to the elected guardians, excepting when there was a dispensary directorship, or some other place, to dispose of. He spoke only of the parts of Ireland which he knew. If there were unions differently circumstanced, they were fortunate. The country would bear with the Irish Members, if, smarting under this sense of difficulty, they asked the Committee to put some limit to the possible *ex-officio* element in the case under consideration. The *ex-officio* guardians had a double advantage, which he would always protest against in that House—that they were allowed to vote as ratepayers for elected guardians, and they were allowed to come into the Board afterwards by virtue of their office.

Mr. BLAKE thought the Amendment a reasonable one. He could corroborate, from experience in the county in which he resided, the statements of the Irish Members who had spoken. The appointment of the magistracy was not always satisfactory — for, given the opinions of the Lords Lieutenants, and they had the opinions of the majority of the magistracy. In the county of Hereford, where he lived, one in four of the magistrates were clergymen, and yet not a single Nonconformist sat on the bench. The attendance at assessment committees of *ex-officio* guardians had been most irregular in that county; but they invariably attended when appointments were made. The ordinary business was left to the elected guardians, who discharged it with a great deal of care.

Colonel ARBUTHNOT said, that with regard to the statement just made by the hon. Member for Leominster (Mr. Blake), as to the non-existence in the county of Hereford of any magistrates who were Dissenters, he was not prepared to state the exact facts of the case; but he knew that there were two sides to the question. This was evidenced by the fact that an animated correspondence on the subject was carried on, from time to time, in the local newspapers, and especially in that journal which the hon. Gentleman favoured with his own communications. If the remarks of the hon. Member were intended as a reflection upon the impartiality of the Lord Lieutenant of Herefordshire, all he could say was, that they were most uncalled for. He believed that the noble Lord who at present occupied that distinguished position administered his patronage in as disinterested a manner as any man could exercise it.

Mr. O'CLERY said, the very fact that the *ex-officio* guardians left the work to be done by the elective guardians was one of the best proofs of the fitness and efficiency of the latter body of gentlemen. It would be invidious to point out any particular county in Ireland where *ex-officio* guardians neglected their duties; but he was bound to add his testimony to the fact, that guardians acting in that capacity were only present at meetings of the Poor Law Board when some situation was to be given away, when the candidates comprised persons of their own way of thinking in politics and religion.

Major NOLAN said, there could be no doubt that this was a very important question. Either the relations of the English farmer to the magistrates of counties and the proprietors of land were the same as in Ireland, or they were not. If they were the same as in Ireland, he could not understand why the Government should insist upon continuing to protect a class that now enjoyed protection, while not sufficiently protecting another class whose requirements in that direction were obvious. But if the relations in the two countries were not alike, great care should be taken before acting upon the principle, that what was not considered necessary for England was not really necessary for Ireland.

Colonel RUGGLES-BRISE regarded the Amendment of the hon. Member for Cavan (Mr. Biggar) as a very harmless one; but he did not think it was necessary to press it. At the same time, there could be no doubt that while, on the one hand, there was often considerable difficulty at present in getting a sufficient number of *ex-officio* guardians to serve, there might, on the other hand, be many men in a district well qualified to act in that capacity; and the specification in the Bill of a particular number might not be without its effect.

Sir JOSEPH M'KENNA said, he did not regard this matter from an Irish point of view merely, but from the point of view of one who was, for the most part, a resident in England, and who understood something of England as well as of Ireland. Looking at the question in that light, it seemed to him that the proposition of the Government was obviously unfair. Under the clause, as it stood, if one-third *ex-officios* were willing to serve, no matter how small might be their qualification or personal fitness, there was nothing to prevent them doing so. Nor was it provided against, that they might not flood and outweigh the other guardians. This, he thought, was altogether wrong, and contrary to his sense of justice and of fair play. The hon. Member for Leominster (Mr. Blake) had pointed out some circumstances which ought, certainly, to attract the attention of the Committee. The hon. Gentleman had informed the Committee that there was not a single Nonconformist in Herefordshire who was an *ex-officio* magistrate, while one-fourth of all the magistrates in the county were clergymen. Was that a fair constituency from which to draw the assessment committee? He hoped that the President of the Local Government Board, whose fairness and whose readiness to meet any reasonable objection he cheerfully acknowledged, would agree to the Amendment. Hon. Members behind the right hon. Gentleman had spoken in its favour; and he trusted that the Representatives of some other English constituencies would find voice on the subject, and thereby, perhaps, save the Committee from the necessity of a division.

Mr. BEACH said, he regarded the Amendment as a very fair one, and hoped it might be allowed to pass.

Mr. W. H. JAMES said, he also looked upon the Amendment as very reasonable. As the clause in the Bill was drawn it was hardly fair, and he urged the Government to place elected guardians in the same position as *ex-officio* guardians. If a provision were inserted for that purpose, a division might be saved, and the measure might be got through that afternoon.

Mr. BLAKE said, he had no doubt whatever that the clause, as it stood, would give the greatest dissatisfaction to all Boards of Guardians throughout the country. It would be possible under it to elect in some places *ex-officio* guardians only. With reference to what had been said in regard to his remarks about Hereford, the hon. and gallant Member opposite (Colonel Arburthnot) had informed the Committee that he spoke on that subject without knowledge. He (Mr. Blake) did not, however, speak without knowledge. The point to which he had directed attention with respect to the county of Hereford was one which vitally concerned the administration of justice in the counties generally; and last year he moved for a Return of those gentlemen who were on the commission of the peace for Hereford. That Return might be seen in the Library by any hon. Member, and it would be found from it that what he had stated was absolutely correct—that there was not a single Protestant Nonconformist upon the commission of the county of which he was speaking, while one-fourth of the magistrates were clergymen of the Church of England. He had nothing to say against the Lord Lieutenant of Hereford; but it appeared to some of those whose eyes were not blinded by political prejudice that this was not altogether fair or as it should be.

Mr. RITCHIE said, the hon. Gentleman who had just sat down, and who had spoken of the dissatisfaction which the passing of the clause would create throughout the country, appeared to be utterly ignorant of the fact that what that clause embodied was the law at the present moment; and he did not know whether any other hon. Member of the House had received evidence of the existence of wide-spread discontent in consequence. For himself, he had had a good many representations on various points in the Bill from Boards of Guardians in the Metropolis; but he had not received a single objection to the existing state of the law as regarded *ex-officio* guardians.

Major NOLAN said, the law at the present moment might be what the hon. Member had just indicated; but in this matter, the endeavour of the Committee ought not to be to patch up old laws, but to guard against a great and revolutionary change in connection with the valuation of property.

Mr. KNOWLES appealed to the Government as to whether it was necessary to occupy so much time with the discussion of a proposition which was in itself so reasonable as that of the hon. Member for Cavan? From his own experience as an *ex-officio* guardian, and as the chairman of an assessment committee, he did not think that the passing of the Amendment would be attended with any danger. On the contrary, he thought that it would be only fair and right.

Mr. BIGGAR said, he looked upon his Amendment as so fair and reasonable that he hardly thought the Committee would have taken the trouble to discuss the question at all. He had been mistaken, however, and the matter had given rise to some debate. Several arguments had been put forward against his proposition. It had been said that he did not know the quality of those who were elected *ex-officio* guardians in England; but he thought that the observations of English Members themselves on the subject showed that he had made out a sufficiently good case. He could tell hon. Members, who appeared to think he could not do so, what an *ex-officio* guardian really was in Ireland and in England. He was a magistrate for the sake of having the power of white-washing public officials in the Poor Law Board. He got himself made an *ex-officio* guardian; but so far as the ordinary work and duty of a Poor Law guardian were concerned, he did absolutely nothing. The real work was done by the elective members, who were well entitled to be upon the assessment committee, and to receive any honour which might attach to that position. It had also been said that there was no necessity for the Amendment, because, in point of fact, the *ex-officio* guardians were useless, and it would be difficult to get even one-third of them to perform the necessary duties. If that were so, on what ground could there be any objection to the number of these guardians being limited?

MR. STANSFELD said, he had supported the clause as it stood, on the ground that it was a consolidation of the existing law; but he must candidly state that, in doing so, he had been influenced by a desire that progress should be made with the measure. After the discussion, however, which had just taken place, he put it to his right hon. Friend the President of the Local Government Board, whether, in the interest of "progress," he should not concede to an Amendment which was in itself of a harmless character?

Question put.

The Committee *divided*:—Ayes 87; Noes 109: Majority 22.—(Div. List, No. 183.)

SIR HENRY JAMES moved an Amendment, to the effect that one-third of the members should be elected guardians. The hon. and learned Member said, he would not discuss the question then. He would simply observe, that although this was a consolidation of the present law, he presumed they were making law for the future.

MR. SCLATER-BOOTH said, he had no objection whatever to this Amendment.

Amendment *agreed to.*

Clause, as amended, *agreed to.*

Clause 4 (Constitution and powers of assessment committee), *agreed to.*

Clause 5 (Clerk and expenses of assessment committee).

COLONEL RUGGLES-BRISE said, it might happen that the clerk of the union had already a great deal of business on his hands. He might also be clerk of the education committee, of the sanitary committee, and of other committees. Therefore, he thought it ought not to be compulsory on the assessment committee to employ the clerk of the union as their clerk if they should think it advisable not to do so. Possibly, good reasons might exist for not employing him in that capacity. He trusted his right hon. Friend the President of the Local Government Board would accept the Amendment, which he now begged to move—namely, to leave out, in page 2, line 15, after the word "guardians," the words "or if he is not willing to serve."

Amendment proposed, in page 2, line 16, to leave out the words, "or if he is not willing to serve." — (*Colonel Ruggles-Brise.*)

Question proposed, "That the words proposed to be left out stand part of the Clause."

MR. SCLATER-BOOTH said, the object of the words in the clause was to avoid the multiplication of officers in the union. The same policy had been pursued in the Education Act and other measures. In all these instances the object in view had been to avoid the needless multiplication of officers. He thought it was only right to point out these precedents to the Committee. He supposed that the working of these assessment arrangements and of this valuation system would depend more on the 650 clerks to the guardians than on any other 650 individuals in the Kingdom.

MR. PELL agreed with the President of the Local Government Board that it was not desirable to increase the number of officers in the union; but he desired to point out that the Amendment provided an escape from a very uncomfortable and disadvantageous state of things, which, if the clause were carried in its present form, must be continued. In some country districts, and in some towns, there were bad clerks, who not unfrequently employed good assistant clerks; and the Amendment just moved by his hon. and gallant Friend would enable the assessment committees to appoint the good assistant clerks, if they desired to do so. Such appointments would be serviceable to the county, and they might also stimulate somewhat lethargic clerks to do their duty.

Mr. RYLANDS thought the last speaker had adduced a good reason for retaining in the clause the words he proposed to omit. Surely they ought not to enable Boards of Guardians to retain bad clerks in their employment? It seemed to him that the main object which the President of the Local Government Board had in view was a good one—namely, to avoid the multiplication of officers. If a Board of Guardians happened to have an inefficient clerk, the sooner they got rid of him the better. He suspected that if the truth were known, it would be found that very often Boards of Guardians were controlled by the Local Government Board in this matter, and that they experienced a difficulty in dismissing an inefficient clerk, because they could not obtain the consent of the Department. He was of opinion that the clerk to the guardians ought to be the best man to act as the clerk to the assessment committee.

Sir THOMAS ACLAND observed, that although the clerk to the guardians might possess great experience, yet he might be a man of advanced years, and unable, consequently, to take upon himself the discharge of another and an arduous duty. It might be a question, not of getting rid of a bad clerk, but of imposing fresh duties on a man who already had sufficient to do, and could not undertake to do more.

Question put.

The Committee *divided:*—Ayes 31; Noes 197: Majority 166.—(Div. List, No. 184.)

Clause, as amended, *agreed to.*

Mr. Pell

(2.) *Making of Valuation List.*

Clause 6 (Making of valuation list by overseers), *agreed to.*

Clause 7 (Form and contents of valuation list).

Mr. MUNTZ moved the omission of the clause. He wished to impress on the Committee the desirability of having only one assessment instead of two—namely, on the net annual value of all lands, tenements, and hereditaments, instead of taking the gross value with a reduction. All hon. Members desired to make the Valuation Bill a good Bill, and to do all they could to meet the requirements of the time. Outside the House the feeling was entirely in favour of one assessment. At present they had two systems. Some taxes were levied on the net assessment, and some on the gross assessment. That was a most unfair proceeding. The subject had, on a previous evening, been ably brought under the notice of the House by the right hon. Gentleman the Member for the City of London (Mr. Hubbard). It was self-evident that taxation ought to be levied on the real value. There could be no doubt about that; and if other taxes were levied on the net value, so also should the house tax and the property tax be levied. Every day complaints were heard of the present system. It was monstrous that a man should be taxed for an amount of value which did not exist. If this clause were omitted, the clause which he should propose to insert in lieu of it would enact that the actual net value of all property should be assessed upon the principle of what the property was worth on the fair annual value. He did not mean the rental, which was a totally different thing, and which might be reduced unfairly by collusion. The section which already existed in the Scotch Act, and which had been found to work most satisfactorily, was this—that there should be one assessment, and one only, and that upon that assessment representing the fair value of the houses or lands they should pay. He begged to move the omission of the clause, his object being, if that Motion were carried, to introduce his own clause.

Mr. SCLATER-BOOTH hoped the hon. Gentleman would not press his Amendment, or expect that a debate should be raised upon the present occasion on the question which it involved, and which was, no doubt, an important and interesting one. He would point out, that if hereafter it should be thought desirable to adopt the views of the hon. Gentleman, that could be done on the Report.

Amendment *negatived.*

Clause *agreed to.*

Clause 8 (Deposit and transmission of valuation list to assessment committee and surveyor of taxes).

Colonel RUGGLES-BRISE moved, in page 3, line 6, to leave out from "overseers" to "committee," in line 10. He thought it was highly desirable that they should not complicate the duties of the overseer by making him go through what he could not but consider a useless form, and he therefore moved the omission of this paragraph.

Mr. SCLATER-BOOTH was sorry he could not assent to the Amendment of his hon. and gallant Friend. This was the means by which the valuation lists were made accessible to the whole of the ratepayers of the Kingdom.

Amendment, by leave, *withdrawn.*

Mr. PELL said, that the Amendment which he had placed on the Paper to this clause had reference to a new clause which he would bring forward later on; but it would be necessary for him now to say a word or two with respect to the latter. The Amendment he proposed to move was at page 3, in line 9, after the word "duplicate," to insert "and any special valuation made by the assessor of railways and canals." This was an officer who was not mentioned in the Bill as at present drawn. He was one, however, that he (Mr. Pell) ventured to ask the Committee to introduce, and his reason for doing so was this. Under the present law, which was continued by this Bill, the overseers of parishes, who, without saying anything uncomplimentary to them, must be considered as entirely incompetent to discharge such duties, were left to insert in the valuation lists what they considered to be the value of so much of a railway or canal as lay within their parishes. Let them do their best, and yet the figures which they filled in were very likely to be unsatisfactory, and, in fact, they were frequently, if not generally, found to be unsatisfactory. The result of this was, that the counties, parishes, and unions were put to enormous expense by exceptional valuations made by experts on behalf of the ratepayers, of which he had a remarkable illustration in his mind at the present moment. In order to obviate this difficulty, and also to ensure something like uniformity in the valuing of railways and canals in the first instance, he had attempted to provide, by a new clause in the Bill, for the appointment of a special assessor, whose duty it should be to inquire into the value of railway and canal property within a county or a parish, as the case might be, and to send to the overseers in such form as the Local Government Board might, from time to time direct what he considered to be the value of the railway or canal hereditaments within the parish. The overseers should then insert the sum in their valuation lists, and this assessor of railways would retire and be heard of no more. A railway or canal company, who might consider the assessment too high, would be at liberty to appeal under the regular provisions of this Bill. An appeal would likewise be open to any other ratepayer. There was another reason why he made this proposal, which he should like to state to the Committee. The method in which, as he understood it, railways were assessed in Scotland was to allow one officer, aided by his subalterns, to assess them for the whole of the Kingdom. He did not propose to lay before the Committee any scheme as large as that for England, which had a vastly larger network of railways, and, consequently, much more numerous hereditaments. But he asked that there should be applied in counties in England the same principle that was applied to the whole of Scotland, where in the assessment of railways and canals it had been found to work satisfactorily. Seeing that that principle had received the assent of Parliament, and of that highly intelligent nation, he ventured to say that it required no special recommendation from him in its support. What he asked was, that the same system should be applied in the counties by a county officer, appointed by the Court of Quarter Sessions, and that he should do for the county what the Scotch officer did for the whole of that Kingdom. He believed that, as a rule, railways were assessed at too low a figure, except those valued under the Scotch Act. There the whole value of the undertaking, from one end of the system to the other, was taken in view by the valuer. Similarly, a valuer under his proposal would have to consider what was the value of, say, the Great Western system within a county, and he would then in the parishes fix the value at which he thought that railway should be assessed in respect of the length of line which it had inside those parishes. Those who defended the present system in England might say that that could be done already, and that any parish or union might call in a special valuer, who should say what he considered to be the value of the railway system within that union. But let the Committee observe that that valuer would have to consider the value of the whole of that railway system, not only throughout the county, but beyond it, in order to arrive at the value to be inserted in the valuation list for anyone particular parish or union with which he was dealing. In fact, he would have to do nearly as much work for one union or parish as he would have if he had to fix the valuation in respect of all the railways and canals within the county. Therefore, upon the score of labour as well as that of efficiency and justice, he had ventured to put down the new clause, which would be found at the end of the Paper of Amendments. But in order to give effect to that clause, he was obliged to move the Amendment which they were now considering. He was sorry to say that he had not had time to confer with the President of the Local Government Board on the subject. Little time had been allowed them to prepare Amendments. The present had been a difficult one for him to prepare almost unaided; he had done his best, and he now presented it for the consideration of the Committee.

Mr. SCLATER-BOOTH said, he was very far from disputing the importance of the object which his hon. Friend had in view, and, indeed, it had been brought to his notice by different railway companies themselves a few days ago. But he thought his hon. Friend had really answered himself in recommending this particular plan; because, while expressing a wish to adopt the Scotch system he, in the same breath, said that he intended that the valuation should be by separate counties. Therefore, the railway companies would be no better off under this valuation by separate counties than they were under the existing law, where the valuation was made by a union. It would still remain as now pretty much a matter of guesswork. He was himself very much in favour of the valuation of railway property in the direction indicated by his hon. Friend, but the question was very far from being ripe for decision by that House. Undoubtedly, it would be a most serious thing to adopt an Amendment of this nature at a moment's notice, and he did not think his hon. Friend's plan would answer for the reason he had stated. He trusted that the Committee might not be led away into a discussion of this question; because, under the clause as it stood, the parishes secured the valuation of the railway companies within their respective limits, and the unions found little or no difficulty in assessing them and recovering the rates. He had already intimated his wish that the question of the valuation of railway property should be considered separately, as soon as an opportunity could be afforded for that purpose.

Mr. PELL should like to make one or two observations on the remarks which had fallen from the President of the Local Government Board. He had admitted very distinctly that at present the assessment of railway property was a matter of guesswork, and he (Mr. Pell) thought that admission furnished a sufficient reason for the Amendment which he had moved. Let the Committee consider what he proposed. It was that instead of a surveyor or overseer in a parish putting down, to use the right hon. Gentleman's own expression, by guesswork, what he considered to be the value of a railway, he should be assisted by an officer for the whole of the county, who should suggest to him, not something that should be the result of guesswork, but something that should rest on reasonable inquiry and practical experience. That was all that his Amendment proposed should be done. Having assisted the overseer by his experience and knowledge, the assessor would then retire from the scene altogether. Might he lay before the Committee an instance in point. The Eastern Counties Railway had been assessed under this system of guesswork for some years in one union at the low rate of £8,000, and some odd hundred pounds. He had no interest in that union, and he was only speaking now of something which had been brought under his notice. That union, not having the advantage of the services of such an officer as he suggested, called in an expert whom, no doubt, it employed at great expense. The result of the introduction of the expert was that the Great Eastern Railway Company was assessed in the sum of £25,000, and they submitted to that assessment. That was three times the amount which the overseer by their guesswork, and the assessment committee, owing to their want of information, had allowed to remain on the valuation list for many years. In an adjoining union the same expensive process had to be gone through with very nearly the same result with respect to the same railway. He thought that when they were asked to pass a Valuation Bill, which dealt not only with all the rateable property in the Kingdom but with their taxes as well, it was a serious and grave omission on the part of a public Department not to have provided something at least better than guesswork. He regretted that it had been left to a private Member, who had not at his command either the time, or the ability, or the assistance possessed by a great Department, to provide a reasonable substitute for a system which the President of the Local Government Board himself had termed as nothing better than guesswork.

MR. SCLATER-BOOTH said, he must correct an erroneous expression which had been attributed to him. He did not say that all railways were assessed by guesswork; he said that the sum which railways were sometimes charged beyond that which they had previously been accustomed to pay had been arrived at by guesswork, and that on appeal it had been disallowed. But, speaking generally, he thought that railways were assessed in such a manner that the parishes got a reasonable contribution from them; and he must say that if the railway companies were dissatisfied with the present system they were quite capable of taking care of themselves. He repeated that the subject was under consideration; and he did not feel bound to do more than to re-enact the existing law which had hitherto been found applicable to railway property.

MR. KNATCHBULL-HUGESSEN remarked, that as his right hon. Friend held out a prospect of a full consideration of the subject of railway assessment, he was unwilling to occupy the time of the Committee. At the same time, when his right hon. Friend talked so glibly of the assessment of railway companies, and their being able to take care of themselves, he could not forbear from stating that he did not think there was a more iniquitous system of rating in the world than the manner in which railway property was assessed, because they went on to arrive, by whatever calculation they pleased, at what was the amount which the railway company was earning, and they then assessed the trade. They did not deal with any other trade in the same way. The way in which they assessed railways was as if they went to a great brewer, or banker, or any other large trader, and assessed, not the value of his premises, but the value of his business. That was what they did with regard to railways, and they inflicted a great injustice upon railway proprietors which they did not inflict upon any other class of the community. They must remember, too, that railway companies were not great and rich corporations, but that their taxation diminished the dividend of the shareholders —that was to say, it fell upon the investors in one particular form of security, many of whom were poor men. Moreover, everything which they took out of the railway operated to the disadvantage of the travelling public. It was one of the greatest anomalies that existed. He believed that a railway which ran through a parish conferred a great benefit upon it, and yet, instead of considering it as they considered other property, which they valued according to the rate at which it might be expected to let from year to year, they assessed it somewhat after the manner he had described; and, in fact, they assessed the rolling-stock—the engines and carriages which earned the money, which was precisely the same thing as taxing the stock-in-trade of any great trader. He did not know whether the hon. Gentleman the Member for Leicestershire (Mr. Pell) was going to press his Amendment to a division. His experience of Amendments proposed by hon. Gentlemen sitting below the Gangway on the Conservative side of the House was that they were supported by very clear and practical arguments, and then generally withdrawn, unless a division was forced from that—the Liberal—side. As far as he was concerned, he must enter his protest against the iniquitous system of railway assessment which at present existed, and if there were to be any alteration in the present Bill, he would rather have that assessment, bad as it was, conducted upon tolerably equitable principles by some competent person, than upon what the right hon. Gentleman had described as being guesswork. He could not conceive that in attempting to settle the principles upon which the valuation of property throughout the country should be carried on, and therein dealing with railway property throughout the country, it was creditable on the part of a Minister, in the conduct of such a Bill, deliberately to propose to inflict upon the country the continuance of that which he acknowledged to be a system of guesswork.

Mr. SCLATER-BOOTH protested against the language of the right hon. Gentleman, who had made himself the champion of the railway companies. Really the latter were able to take care of themselves; and having been recently in communication with them he thought he might claim to know a great deal more about this matter than the right hon. Gentleman himself.

Mr. LEEMAN said, he was bound to admit that the right hon. Gentleman had met the railway companies in a very fair and candid manner, and, as a result of their meeting, it was their intention at a particular stage of the Bill to move certain Amendments. Not knowing that the Bill would be brought on so soon, they had not been able in time to put those Amendments on the Paper. The hon. Member for Leicestershire (Mr. Pell) had given the Committee an instance of what took place under the present system. Let him give an instance, rather on the contrary side, of what now took place. In the Northern parts of England this happened. In one parish the rateability of the railway was £24,000 a-year, and the company paid on that sum for several years. They thought it high, but did not think it worth while to go to the expense of an appeal. Well, an expert was introduced—a gentleman who was known to very many in that House. He was called in by the assessment committee to advise them, and he raised the rate from £24,000 a-year for that one parish to £34,000. The railway company said—"This is rather too hard; we are not going to pay this;" and they appealed to the Quarter Sessions. The result of the appeal to that tribunal was, that they sent the case to an umpire to inquire into the whole of the circumstances. That occupied a very considerable time; and, in the result, instead of £34,000 a-year being confirmed, the umpire reduced the original rating of 24,000 a-year by £1,000, and put the rating at £23,000, and ordered the parish to pay the whole of the costs of that appeal. But, in the end, where was the railway company? The railway company succeeded; but, although the parish had to pay a portion of the costs, the arbitrator felt bound in the circumstances to give them two years in which to pay them, and, as a consequence, the railway company had to pay two-thirds of the joint costs of themselves and of the parish. Now, the hon. Member who sat near him had a very similar case to deal with. It appeared that the Great Western Railway Company and the London and North-Western Railway Company were the joint owners of a railway in Cheshire, and that the valuation of that line was raised from £30,000 or £40,000 to £60,000. The railway companies appealed against this increase in the assessment of their line, and the end of it was that the valuation was reduced to £30,000; but they had a very large portion of the expenses to pay. What the railway companies wanted—and what he believed they would get from the present Government—was a remedy for this state of things, to be provided in the subsequent clauses of this Bill. The experts who, under the present system, were employed in the valuation of the property of the railway companies, were actually interested in raising the amount of the valuation. As far as railway property was concerned, it was a rare thing to hear of the valuation being reduced in amount. The expert had every interest in increasing the amount of the valuation, inasmuch as he was actually paid a percentage on the amount to which he could raise the rate. The consequence was, that the railway companies were treated with the greatest possible injustice under the present system of valuation and assessment. The hon. Member had proposed to leave it to the magistrates assembled in Quarter Session to appoint experts to assist the assessment committee in making re-valuations.

Mr. PELL explained, that the language of his Amendment was "unless Parliament should otherwise provide."

Mr. LEEMAN continued, that although he had every respect for the Courts of Quarter Sessions, he felt bound to say that he scarcely thought that those Courts could be looked upon as impartial tribunals, inasmuch as magistrates, especially in agricultural districts, were largely interested in the amount that could be got out of the parish and the ratepayers, in relief of their own tenants the farmers. They, therefore, scarcely formed a desirable tribunal for selecting the experts by whom the amount of the assessment was to be made. Under Clause 48, power to deal with this question was given to the Local Government Board, and when that clause came on for discussion those who were interested in the subject would propose the Amendments in it they thought necessary. In their opinion, it would be preferable if the expert who was to determine the amount of the assessment were to be appointed by that Board. The best thing that hon. Members could do to protect the railway companies in this matter was to take care that those who made these valuations had not a direct interest in raising the amount of the assessments as against the railway companies. He had already stated his belief that the best tribunal for appointing these experts was the Local Government Board itself; and if Parliament adopted that view they would have impartial assessors appointed all over the country, who would be paid a fixed salary instead of a percentage on the amount to which they raised the valuation of the railway companies' property. In almost every township the railway companies paid a large proportion of the rates, and it was the interest of the parish to take as large an amount out of their pockets as they could. If the hon. Member would adopt the suggestions which had been made at the interview which they had had with the right hon. Gentleman yesterday, he believed that the justice of the case would be met. The hon. Member would have a further opportunity of raising this question on the subsequent clauses, and he was sure that eventually justice would be done to the railway companies in this matter, which was all that they desired.

Mr. PAGET said, that they were all agreed that the hon. Member was quite justified in bringing this subject before the Committee by this particular Amendment, because he had shown the necessity of something being done in the matter. It might be perfectly true that railway companies generally could take care of themselves; but in many instances they were rated at less than the proper amount. The rating at the lower assessment continued from year to year, and there was great difficulty in arriving at a satisfactory conclusion. The country at large was much interested in the subject of railway rating, and anything that the Government or the Committee could do to set this question at rest would be valuable work done. At the same time, he hoped that the hon. Member would not persist in this particular Amendment, but would withdraw it. It raised the very large question of principle as to whether the railways were properly rated or not, which, if entered into thoroughly, would occupy the attention of the Committee for a very long time. He hoped, therefore, that the hon. Member would be content with having raised the question, and would postpone any further action in the matter until Clause 48 came on for discussion.

Mr. RYLANDS thought that the subject was one which well merited the attention and the careful consideration of the Committee. The right hon. Gentleman the President of the Local Government Board seemed to deprecate discussion on the matter. He had noticed on several occasions that a considerable amount of pressure had been made use of from the Treasury Bench in order to prevent the proper discussion of this Bill, which was put forward, not as a measure introduced with the view of bringing the matters it dealt with to a final conclusion, but as one full of temporary expedients. The fact was, that they were now dealing with one of the most important questions that could occupy the attention of the House of Commons. The assessment of railway and canal property raised a very large question. The right hon. Gentleman admitted that the subject was now involved in great confusion, and required dealing with; but he had understood him to intimate that he did not intend to deal with it permanently by this Bill. The hon. and learned Member for York (Mr. Leeman) was more sanguine than the right hon. Gentleman. He told them of a meeting that had been held representing important interests. The hon. and learned Member was a man of sound judgment, and he had taken the measure so far of the Local Government Board as to be able to state that he believed that that Board would be willing to accept Amendments to this Bill in the interests of the railway companies. He, however, did not stand there in the interests of the railway companies which, as a general rule, managed to take pretty good care of themselves. What the Committee was trying to do was to get a basis of valuation of all property not in the interests of the railway companies but of the ratepayers generally. He had already frequently contended in that House that they ought to depend more and more upon the assessment committees; and by giving them greater powers and better means of arriving at a conclusion with respect to the amount of the assessment, they would get rid of a great deal of the difficulty that was felt under the present system. The hon. Member for Leicestershire (Mr. Pell) had suggested one way out of that difficulty. But another way out of it had been put forward by the very important deputation which had waited upon the right hon. Gentleman, and had pointed out to him that those who had to assess railway and canal property were placed in a great difficulty by the companies refusing to give the necessary amount of information to enable a proper valuation to be placed upon their property. If the necessary information were placed before those who had to make a valuation of the railway companies' property, there would be no difficulty whatever in making a fair assessment; but the railway companies made it a rule to give no information whatever to the assessment committees. The consequence was, that the assessment committees were obliged to put the assessment as high as possible, in order to force the railway companies to appeal, and compel them to give that information which otherwise they would refuse to give. It would save much time, if the Government would let the Committee know what proposal they had to make upon this part of the Bill.

MR. SCLATER-BOOTH said, he did not consider it to be his duty, in the interest of the ratepayers, to propose any variation on the existing law governing the assessment of the property of railway companies in the Bill now before the Committee. Those who represented the railway companies in that Committee said that the companies were afraid that the result of this measure would be that they would in the course of time be placed in a worse position than they now occupied. If that were so, he should be happy to do all in his power to relieve them from injustice. It was not his wish or desire that the companies should be placed in a worse position, and he would willingly support any Amendment which would have the effect of preventing them being prejudiced by the operation of this Bill. It had been suggested that by some modification of the Scotch system a fairer mode of valuation of railway property might be arrived at, both in the interest of the companies and of the ratepayers. The Scotch system was a totally different one from their own, and it would be inconvenient at the present time to discuss that question, inasmuch as it would occasion delay, and would carry the Committee away from the real point they had to determine. It was a question worthy of consideration, whether or not the Railway Commissioners might not be empowered to try questions of appeal connected with the rating of railways. He merely threw that out as a suggestion, without wishing to raise a discussion upon the matter. In his opinion, the question before the Committee was not one that would come within the general valuation law, it relating to a particular mode of assessing particular property. He put it to the Committee, whether they would be inclined to give their assent to the introduction into this general Valuation Bill of any special mode of assessing different classes of property? If the matter were brought forward in a special Rating Bill, he thought that the point was one which might be very fairly considered by a Select Committee.

MR. WHITWELL hoped that the hon. Member for Leicestershire (Mr. Pell) would not press his Amendment, because the point it raised would properly come before the Committee when a subsequent clause came on for discussion.

SIR JOSEPH BAILEY ventured to point out to the hon. Member that, under the present system, the magistrates in Quarter Sessions assembled had the power of appointing a valuer to fix the assessment of railway and other properties within the county. That course was adopted in the county which he represented—Hereford—with the result of largely increasing the nominal rateable value of railway property throughout the county. The effect of the Amendment would be to add an unnecessary officer to those forming the machinery by which this Bill was to be worked; and he did not think it desirable that such a step should be taken. He therefore hoped that the hon. Member would withdraw his Amendment.

MR. RAMSAY thought that the Amendment of the hon. Member for Leicestershire would tend to secure for the railways the justice to which they were entitled. He thought that the Committee should hesitate before asking the hon. Member for Leicestershire to withdraw an Amendment of this kind, which was calculated to bring about that uniformity in the system of rating of all property throughout Great Britain which the right hon. Gentleman himself desired to see established. He hoped that the Committee would take into consideration the possibility of adopting the Scotch system.

MR. CLARE READ said, that he could not agree in the statement that railway companies had always been hardly treated in the matter of the assessment of their property for the purposes of rating. But, whether that were the case or not, he could say that they had been most unequally treated. In East Anglia some railways paid scarcely a larger assessment than their land would have to pay if there were not a railway upon it. In his own union there had been a considerable increase made in the assessment of the railway property—namely, from £3,000 to £13,000. Contesting the amount of the valuation might be very good for the unions, but it was very bad for the parishes, because the latter had to pay the whole costs of the proceedings, although they only got a proportionate part of the value of the new assessment. This question with regard to railways showed how difficult it was to run a Bill of this kind through the House in a few nights. If they were going to have a Valuation Bill at all, let them have a good one and a thorough one. Seeing that the amount of railway property throughout the Kingdom was so enormous, and that it contributed so largely towards the rates, something at least should be done with the view of making its assessment equitable.

SIR ANDREW LUSK said, that the assessment of railway property in this country was a very large and important matter, seeing that the value of that property amounted to something like £600,000,000 or £700,000,000. One of the difficulties was, that this railway property was assessed in a haphazard way. This was a most unfortunate fact. It was said that railways could take care of themselves; but it was not desirable that they should take care of themselves; at least it was not desirable that they should take care of themselves at the expense of others. He hoped that when the 48th clause came under discussion the right hon. Gentleman would put forward some view on the part of the Government as to the way in which this question should be settled, so as to enable the Committee to arrive at some more equitable mode of assessment of this property than the one adopted under the present system. Some independent authority should be appointed to settle its value on sound and satisfactory principles.

MR. BLAKE thought that the Bill would be incomplete unless it contained some provision for the special assessment of railway property. This was a very important matter, because no class of property was so difficult to value as railway property. The assessment of railway property in Herefordshire had been considerably increased of late, and in every case that increase had been assented to by the companies. He hoped that the hon. Member would persevere with his Amendment.

Mr. CHILDERS observed, that the question raised by the Amendment would come before the Committee in a more convenient form when Clause 48 came to be discussed, as at present it was consequential to another Amendment not yet brought forward, and then they should hear in all probability the view of the Government upon the whole question of rating railways. It was quite impossible to discuss the question at that stage. He suggested that the Amendment should be withdrawn, on the understanding that the entire question should be raised on the subsequent clause.

Mr. PELL entirely agreed in the proposal made by the right hon. Gentleman; but he hoped that if it were accepted, the clause would be postponed. Before he sat down, he wished to state one or two other very strong reasons why his Amendment, or something like it, should be adopted. On the whole, he concurred with the course which had been taken by the Government in making the surveyor of taxes the dominant power with regard to assessments. That official was introduced into the Bill with considerable power, and with the view that his appearance should have effect in determining what the gross value of properties was to be; but it seemed to be forgotten that these gentlemen would have no place in settling the valuation of railways, such property having been taken out of Schedule A and included in Schedule D. It therefore followed that the surveyors of taxes would have a lively interest in seeing that all hereditaments, except railways and canals, were equitably and properly assessed. They had no interest whatever in the assessment of railways. This, he thought, afforded a very strong reason for inserting in the Bill some such provision as was contained in the Amendment which he had ventured to put upon the Paper. The hon. and learned Member for York (Mr. Leeman)—than whom no one in the House was so thoroughly acquainted with every detail of this subject—had told the Committee that under the present system, the valuers who acted for assessment committees with regard to railways were paid for their services by a percentage upon the amount at which they succeeded in fixing the assessment, and were, therefore, always open to the unwholesome influence which such a mode of payment of necessity involved. This was another and a very good reason for the hon. and learned Member—if he wanted one—to support the Amendment before the Committee. If his Amendment were accepted, the county authority, as at present constituted, or the County Government Board, as he hoped it would be at no distant day, would appoint an independent officer, whose income and financial position would not depend upon his fixing the railway assessments at a high amount, but who would be paid by salary, and would have no interest adverse to fixing the assessments of all property on a perfectly fair and equitable basis. He wished to point out that the valuation of this assessor was not necessarily to be conclusive. His duty would be to inform the overseers as to the amount which, in his opinion, ought to be put down in the rate-books as the assessment of each separate piece of property. Having done this, he retired altogether, and the railway or canal companies would have the same right of appeal that was possessed by private persons who thought their assessments too high. But there would be this undoubted advantage from such a system, that it would ensure an uniform and reasonable mode of assessment of railway and land property. Let the Committee consider for a moment what they were doing in this matter. He had not had time at present to get out the figures on the subject—he hoped to be able to do so before the Bill left the House—but the value of the railway property in the country which was assessed to the rates was without question something enormous. He did not know that he should be far wrong in putting it at a twentieth part of the whole property in the country. [No, no!] Well, at any rate, it was an enormous amount, and what had Parliament ever done with regard to the rating of railroads? During the time which had elapsed between the birth of Stephenson and the present day, he was not aware that any Government, of any shade of politics, had ever given any consideration whatever to this question, or had taken the trouble of introducing a Bill with respect to the valuation of railways in England. It had been done in Scotland; and what he was now attempting to do was to introduce, in a modified form, the Scotch system, which had been found to work well, into this country. He should not withdraw his Amendment, but should divide upon it, and so prove himself an exception to the rule with regard to agricultural Members which was laid down by the right hon. Gentleman the Member for Sandwich (Mr. Knatchbull-Hugessen), that was to say he should certainly divide, unless he got an assurance from the Government that the clause which he proposed to amend would be postponed, or that, at any rate the question to which it referred would be considered further on. The House was not going to get through this Bill in a day, and there would be plenty of time for Her Majesty's Government to consider the whole matter. He could not, therefore, give way, unless it was made clear to him that before the Bill left the Committee he could bring his Amendment forward again in such a manner as that he would not be prejudiced by anything that might be done to-day. He should certainly bring forward on a future occasion either the same clause which he had now moved or another and better one, which he would ask a professional draftsman to prepare for him.

Mr. DILLWYN said, that when he came into the House a short time previously he heard the hon. and learned Member for York (Mr. Leeman) speaking of the vicious system of employing valuers who were paid by percentage, instead of by salary. This practice could not possibly be too strongly condemned, nor could the House be put too much upon its guard against it. The hon. and learned Member mentioned one or two cases in order to show how unjustly the system had worked with regard to railways. Perhaps he might be allowed to mention a case in which it had an equally unjust result as far as a property of another kind was concerned. There was within his knowledge a case in which a county committee employed a valuer from another part of the country to re-value the properties in the county for rating purposes. This gentleman was to be paid by a percentage on the valuation, and in one case he raised the valuation of a mining property in the county to something like £13,000. The owners of the property objected, as a matter of course, to the valuation, and an appeal was at once made to the Court of Quarter Sessions. In the end a compromise was effected, and he believed the assessment was fixed at about £1,300. If he were not out of Order in using the phrase, he should say that the attempt made to put up the assessment of the works was but little short of an attempt at robbery. This circumstance, he thought, illustrated the value of a system which regulated the payment by results of a valuer, who would only be interested in fixing the assessment at as high an amount as possible.

Mr. STANSFELD said, that at the risk of being supposed to advise the hon. Member who had moved the Amendment not to stick to his colours, he must be permitted to give his opinion for whatever it was worth. He certainly thought the hon. Member would not act wisely in pressing his Amendment, and he thought this entirely from the point of view of the hon. Member. He entirely agreed with him, and with the hon. and learned Gentleman the Member for York (Mr. Leeman) in thinking that the present mode of assessing railways was not fair to the undertakings assessed. He also thought the time had come at which the fair and equal assessment of railway property ought to be undertaken and dealt with; but he did not think the hon. Member would advance that object by pressing to a division the Amendment which he had moved. As his right hon. Friend the Member for Pontefract (Mr. Childers) had stated, the Committee was now inclining itself towards a division, or, at any rate, towards concluding this discussion; and no one could say that the subject matter of the Amendment had been, or could be, considered or settled in the course of a debate on the consequential Amendment which had been moved by the hon. Gentleman. It was a very well understood practice in the House that it was fair to those hon. Members who proposed considerable changes or Amendments in Bills to postpone the consideration of the points proposed to be changed or amended until there was a full opportunity for their thorough discussion, after the proposals for change had been matured. It must also be known that it was the ordinary practice of the House to re-commit Bills, where necessary, for the consideration of merely consequential Amendments. Another reason in favour of the suggestion he had made to the hon. Gentleman (Mr. Pell) was that if he persisted, after this partial statement of the reasons in favour of his Amendment, and this partial discussion of those reasons, in going to a division, and if he were beaten upon such division, it would tell against him when he brought up his new clause; because although the division would be taken upon a more or less consequential Amendment, it would lead to some extent, in some minds, to the conclusion that the Committee had determined not at any future time to accept the Amendment. If, on the other hand, the hon. Gentleman did not divide, and so provoke a hostile decision upon his present proposal, he would be at perfect liberty to propose his new clause on a future occasion; and if that clause were adopted, the Bill could be re-committed for the insertion of consequential Amendments.

Mr. SCLATER-BOOTH said, he saw no reason why the clause to which his hon. Friend had proposed an Amendment should be postponed. He was strongly of opinion that the question of the valuation of railways was far too large a one to be dealt with by means of a clause in the present Bill; but, if on further consideration, it should be found practicable to adopt the suggestion of his hon. Friend, he would undertake that no objection to its adoption should arise by reason of the withdrawal of the Amendment. The hon. Member would be perfectly unfettered as to future action in reference to his proposal if he withdrew it at the present juncture, and brought it forward hereafter.

Mr. FLOYER hoped his hon. Friend (Mr. Pell) would not press his Amendment at the present time, as the Committee was not in possession of the information which would be necessary to a proper settlement of the question, which would introduce an altogether new principle into the Bill.

Mr. HIBBERT said, that if the Amendment were to be withdrawn, he would suggest to the hon. Member who had charge of it, that before bringing it forward again, he should consider whether the power he desiderated should not be given to the assessment committee for the county, who would be by far the best authority for settling the question of railway assessments.

Mr. PELL said, that after the kind offer of the right hon. Gentleman the President of the Local Government Board, he should not press his Amendment to a division.

Amendment, by leave, *withdrawn.*

Mr. Alderman COTTON moved, in page 3, line 13, to leave out the words "sign the duplicate and."

Mr. SCLATER-BOOTH said, he had no objection to the elimination of those words.

Amendment *agreed to.*

Mr. WHEELHOUSE moved, in page 3, at the end of the clause, to add these words—

"Within fourteen days after the transmission to the assessment committee of any valuation or supplementary valuation list, the committee shall give notice to every Railway and Canal Company named in such list as the occupier of any property included therein, and not having any office or place of business in the parish to which such list relates, of the sum or sums set down as the rateable value of the property purporting to be occupied by such Company, and such notice may be served by being transmitted through the post to the principle office of the Company, or one of their principal offices where there shall be more than one."

The hon. and learned Gentleman said, he saw no reason why an intention to increase the assessment of a railway or canal property should not be notified, as promptly as possible, to those who would or might be affected by it.

Question proposed, "That those words be there added?"

Mr. SCLATER-BOOTH said, the Amendment was unnecessary. The Act of 1864 had already provided that whenever it was proposed to increase an assessment, notice should be given to the persons assessed, whether they were public companies or private individuals; and he presumed that where there was no intention to increase, no notice would be either desired or required; but, if the Amendment were agreed to, it would become necessary to give notice at each assessment, whether the amount were increase or not.

Question put.

The Committee *divided*:—Ayes 17; Noes 283: Majority 266.—(Div. List, No. 185.)

Clause 9 (Notice to occupier where his liability is increased).

SIR WALTER B. BARTTELOT moved the omission, in line 20, of the words "as soon as practicable," with the view of having inserted, instead of them, the words "seven days." His object, he said was, that information should be given as early as possible under the operation of the Bill to persons whose rating was increased, so that they might know, without loss of time, what the amount was which they would be called upon to pay.

MR. SCLATER-BOOTH said, the Government had deliberately arrived at the conclusion that the words which it was proposed to strike out were the best which could be adopted in the clause. If, however, upon further inquiry, his hon. and gallant Friend should be of opinion that they did not meet the case fairly, he should be happy to confer with him on the subject.

Amendment, by leave, *withdrawn.*

COLONEL RUGGLES-BRISE moved the insertion, in page 3, line 21, after the word "notice," of the words "in forms provided or sanctioned by the Local Government Board." His object, he explained, was to secure that the notices should be as intelligible as possible, and he trusted the right hon. Gentleman the President of the Local Government Board would see the expediency of accepting the Amendment.

MR. SCLATER-BOOTH expressed his regret that he could not comply with the wish of his hon. and gallant Friend.

Amendment, by leave, *withdrawn.*

Clause *agreed to.*

Clause 10 (Revision of valuation list by assessment committee).

MR. CLARE READ moved the addition, at the end of the clause, of the following words:—

"Where the assessment committee is of opinion that any building, by reason of its size, or structure, or of its being adapted only for some special purpose, or for any other reason, cannot be properly valued according to the rent which, taking one year with another, a tenant might reasonably be expected to pay, and that the gross value of such building, as entered by the overseers in the valuation list, is not sufficient, it shall be lawful for the assessment committee, nothwithstanding any provision to the contrary in this Act contained, to determine the gross value of any such building, with reference to the actual value thereof to the person occupying the same, and they may alter the list accordingly."

He believed, he said, that his right hon. Friend at the head of the Local Government Board would be prepared to contend that the Amendment should be embodied in a new clause, which ought to come at the end of the Bill. He would, however, remind the right hon. Gentleman, that the Committee on the Bill might not be concluded before the 9th or 10th of August, if, indeed, it were possible to get through it within that time. He should, therefore, like to say a few words on the Amendment at the present moment, whether it were adopted or not. There were, it could not be doubted, certain descriptions of property which seldom or never let, and the value of which it would be extremely difficult for any assessment committee to determine from one year to another. Of that class were many of the large houses in the country districts. Those houses were scarcely let at all, or, if let, it was generally with a right of sporting, which, with the houses themselves, invariably brought in a fair amount in the shape of rent. But to let a large house in the country districts without the advantage of any such right was very often a matter of impossibility. A house of the kind, however, was worth a considerable sum to the owner, he himself being the occupier. Under these circumstances, it was, he thought, but fair, that some such latitude as he proposed to give them should be allowed to the assessment committee. The clause itself, he might add, was not, he believed, quite an original one, for, if he remembered rightly, he had seen something like it before in the Valuation Bill which had been introduced by the right hon. Gentleman the Member for Halifax (Mr. Stansfeld), and which seemed to him to be very much better than the clause which was previously inserted in the Bill of the right hon. Gentleman the Member for the City of London (Mr. Goschen), because that was a clause by which the assessment was to be made on the amount of money which might have been expended on a building. A plain square old-fashioned sort of mansion was quite as comfortable to live in as a more elaborate building, with lofty roof and Gothic towers, and upon which no end of money had been expended. But, to return to his Amendment; if his right hon. Friend the President of the Local Government Board objected to the wording of it, and would promise to consider the question which it raised, he should be happy to withdraw it. There was, no doubt, great difficulty in assessing mansions in the country fairly. In London, or in other large towns in which there was a considerable population, such a difficulty was hardly ever experienced, because plenty of tenants were to be found; but in the country the case was entirely different. In Norfolk there was a mansion which belonged to a squire of the place, and which was valued by the assessment committee at £90. The owner appealed against the assessment, and the committee did not trouble themselves to go before the Quarter Sessions at all, which reduced the amount of the valuation from £90 to £60. The committee next quarter raised the assessment to the original amount; and although the owner protested very vehemently at the outset against the increase, he eventually accepted their decision, so great did the inconsistency appear of having a large mansion assessed at only £60, while a small villa situated in the same village was hired by a retired merchant at £50. He had, in conclusion, simply to say, that he had formed no resolution to adhere to every word of his clause. He, at the same time, hoped his right hon. Friend would give the substance of it his best consideration.

The CHAIRMAN pointed out that the Amendment was not quite germane to the subject-matter of the clause, and that it would be better if it were brought up in the shape of a new clause.

Mr. CLARE READ said, he would, of course, at once bow to the ruling of the Chairman, and would embody his Amendment in a new clause, which he would move at a subsequent stage of the discussions in Committee on the Bill.

Mr. SCLATER-BOOTH expressed his concurrence in the ruling of the Chairman, that the Amendment was not relevant to the subject-matter of the clause.

Amendment, by leave, *withdrawn.*

Clause *agreed to.*

Clause 11 (Objections to valuation list by overseers, ratepayers, and surveyors of taxes).

Mr. HIBBERT moved, in page 3, line 41, at end, to add—

> "Provided, That no person shall be empowered to appeal to the quarter sessions against a poor-rate made in conformity with the valuation list approved of by such committee, unless he shall have given to such committee notice of objection against the said list, and shall have failed to obtain such relief in the matter as he deems just."

Since he had given Notice of his Amendment, his right hon. Friend the President of the Local Government Board had informed him that the point which it raised was sufficiently met by Clause 16. If that were so, he should not, of course, press the Amendment to a division.

Mr. SCLATER-BOOTH said, he believed his hon. Friend would find that Clause 16 met the case so fully, that he would not deem it necessary to insist on the insertion in the Bill of the words which he proposed.

Amendment, by leave, *withdrawn.*

Clause *agreed to.*

Clause 12 (Meetings of assessment committee for hearing objections), *agreed to.*

Clause 13 (Re-deposit of valuation list when altered, and objection to alteration and notice to occupier), *agreed to.*

Clause 14 (Final approval and deposit of valuation list with overseers and clerks of peace), *agreed to.*

Clause 15 (Printing and distribution by clerk of the peace of totals of gross and rateable value in valuation list), *agreed to.*

(3.) *Appeals—Special Sessions.*

Clause 16 (Holding of special sessions to hear appeals as to value for parochial purposes).

Mr. RODWELL, referring to a series of Amendments which stood on the

Paper in his name, said, the first of them raised a very important question. His object was to secure, as far as possible, uniformity in the county valuation lists, by providing that the assessment committee should ultimately adjust them, and reconcile any discrepancies between them which might be found to exist. The right hon. Gentleman the President of the Local Government Board had, at first, dissented from his proposal; but he had since, to a certain extent, admitted the justice of the principle which it embodied, for he had intimated to him that the chairman, or some other competent member of the committee, was to be introduced in some form or other into the Board, and was to have a voice in the ultimate adjustment of the valuation lists. In these circumstances, he would, with the permission of the Committee, abstain from moving his Amendments.

MR. SCLATER-BOOTH expressed his willingness to withdraw this clause. He had rested his defence of the present system on the fact that it was the existing law, but he found that the privilege was not claimed. It was not the fact, however, as had been suggested, that when the Union Assessment Act was passed, this appeal to the justices was allowed to remain *per incuriam*. One reason for its retention was, that it was not thought fit to entrust the assessment committee with that power. The union assessment committee had now been in existence some 16 years, and, on the whole, had worked satisfactorily, and he was, therefore, willing that the appeal should be discontinued.

MR. B. T. WILLIAMS was proceeding to refer to a provision which, as a consequence of the withdrawal of the 16th clause, he proposed should be inserted at a later stage, when—

THE CHAIRMAN ruled that the hon. Member was not in Order in referring to a subsequent Amendment.

MR. PELL thought that some new authority should be instituted, to whom the ratepayers might appeal before going to Quarter Sessions. He could not assent to the withdrawal of Clause 16, except upon the understanding that the Government, as soon as possible, should institute County Boards capable of determining appeals on assessment questions.

MR. HIBBERT observed, that what was required was to give the county authorities more power to obtain information, and to give them much the same jurisdiction as the assessment committees now exercised.

MR. SCLATER-BOOTH said, that the withdrawal of the clause was entirely unconditional, nor was it intended that any tribunal should be substituted for the one abolished. County regulations would be put on a fair basis; but the Boards to be instituted were not to act as courts of appeal. He, however, intended to lay on the Table a new clause on the subject of appeals against valuations, and, with that view, he would withdraw the clause under consideration.

MR. KNATCHBULL-HUGESSEN hoped due Notice would be given of the clause to be proposed, in order that hon. Members might be in a position to discuss it.

MR. B. T. WILLIAMS suggested that it might be necessary to do something more than strike out the clause giving the appeal. The right of appeal from the overseers to the magistrates was of ancient origin, and might be found in many old statutes. It would be better to insert a clause in the Act, providing that after the passing thereof, justices of the peace, sitting in petty sessions, should not hear or determine any appeal against assessments. If that course were adopted, any possibility of doubt would be removed.

MR. CLARE READ was doubtful whether there was to be any real county authority. He was sorry that the Amendments had been withdrawn. In his opinion, there ought to be a County Board to hear appeals from assessments on questions of fact and of value. He had no objection to the abolition of the miserable appeal to the petty sessions; but he hoped the House and the country would have some little opportunity of considering the proposal to be made.

MR. RYLANDS said, it would be best to keep distinct the two questions of the abolition of the old, and the institution of the new, appeal. There was no doubt that the appeal to petty sessions was very unnecessary and objectionable; and whatever might be the decision of the House with regard to the county committee, he thought there could be no objection to the rejection of this clause. The House, however, ought to have ample time for considering any proposal that the right hon. Gentleman (Mr. Sclater-Booth) might make. He might also add that considerable inconvenience had been caused by the Bill having been put on the Paper that day. In his opinion, the Bill had been hurried forward more hastily than was consistent with its importance.

Mr. PARNELL observed, that the present system was, no doubt, a vicious one. The assessment committee was formed of elected guardians, and of magistrates as *ex-officio* guardians. By Clause 16 it was provided that an appeal from their decision should lay to the petty sessions, composed entirely of magistrates. He should suggest that in the constitution of the ultimate tribunal of appeal, there should be a certain proportion of the elected guardians of the different unions in the county. In that case, the appellate Board would give satisfaction to the entire county. He would strongly urge the desirability of having a larger representation of elected guardians than merely the chairman of the assessment committee.

Mr. RODWELL said, that though somewhat inconvenient to talk of an Amendment by way of anticipation; still, as it had been suggested that he had yielded a little too easily to the wishes of the President of the Local Government Board, he would make one or two observations on the subject. As he understood, some provision was to be made by which parties connected with the assessment committee, or with members of it, were to have a voice in the adjustment of the county assessment, in order to secure uniformity. He had always felt that appeals to Quarter Sessions were almost valueless. The expense, for one thing, was so great, that persons would not go to the extent of appealing to set right a small wrong. Therefore, appeals had become limited in practice to railways, canals, or large companies. It seemed to him that many persons who had been deterred from going to a Court of Appeal by fear of the expense, would have an opportunity of appealing under the scheme proposed. Furthermore, those discrepancies in assessments which now existed would be abolished. If the state of the case were as he apprehended, and the President of the Local Government Board introduced the provision contemplated, he thought a great step had been made in securing the uniformity he desired to see. He did not, therefore, think he had too readily surrendered, but that, in the present case, discretion was the best part of valour.

Mr. STANSFELD thought it inconvenient that they should be discussing this clause when they were told there were other Amendments to it. With regard to the Amendments of which the right hon. Gentleman (Mr. Sclater-Booth) had given Notice upon Clauses 25 and 26, he must say frankly that he looked upon them with suspicion, as likely to lead to the creation of obstacles at some future time to the formation of County Boards. This committee or body, as it would be described in Clause 26, was not at all likely to be the County Board of the future; but he grudged the bestowal upon it of functions which belonged properly to the County Board, of which they had heard so much. The Bill would not, however, meet any undue opposition from him; on the contrary, so far as he was concerned, he should do all in his power to forward its progress; but he did object to any clause which might stand in the way, and render less probable at the earliest possible time, of a measure dealing with the whole question of county management.

Mr. PAGET wished to point out that if the appeal to petty sessions were done away with, the appeal to Quarter Sessions would be the only one obtainable. That appeal was necessarily a costly one, and he should like the Government to consider whether something could not be done materially to reduce the expense of appealing to Quarter Sessions.

Mr. CLARE READ feared that the ratepayer, after what had passed, would be in a much worse position than he was before. The small court of appeal was abolished, and he was sent at once to Quarter Sessions with its attendant expenses. He particularly approved of the Amendment of the hon. and learned Member for Cambridgeshire (Mr. Rodwell), because he proposed that the county authority should go from place to place deciding questions of fact and of value. There was no reason for employing counsel on the question whether a house was worth £20 or £30.

But now that there was to be no appeal from the assessment committee but to the quarter sessions, not only great trouble but enormous expense would be occasioned.

MR. HIBBERT observed, that it was well-known that no appeals had been made to petty sessions for some time; and, therefore, no one would be affected by that appeal being abolished.

COLONEL RUGGLES-BRISE remarked, that petty sessions were not of much value as an appeal court, the magistrates acting on the assessment committee being also on the appeal court. But petty sessions were convenient, from their contiguity, for ratepayers to appeal to on small matters. As the case stood, he was not, however, prepared to say that petty sessions ought to be retained, though, perhaps, more convenient to the ratepayers. A ratepayer would now have the inconvenience of going some 20, 30, or 50 miles, with respect to some little matter which might have been settled within a short distance of his own house. For those reasons, he was glad to hear that the right hon. Gentleman (Mr. Sclater-Booth) had consented to introduce the representative element into the appeal court. It was impossible to say more until the proposal was actually before the House.

MR. MUNTZ said, he did not know how any poor man could be expected to be at the cost of an appeal to quarter sessions, which involved the heavy expenses of a solicitor, advocate, witnesses, and surveyors.

SIR JULIAN GOLDSMID said, that that was quite unnecessary as, with small appeals against an assessment upon which satisfaction had not been given by the assessment committee, the case was re-heard by making an appeal against the next rate. He was quite certain that small appellants were more likely to be successful there than at quarter sessions, to which, for that reason, they never had recourse.

SIR WALTER B. BARTTELOT said, as matters then stood, nobody knew to what court they were to appeal. He was anxious to know what duties the right hon. Gentleman intended to make the new Board perform, and something definite ought to be stated by the Government on this point. He was loth to part with the present machinery, before he knew what was to be substituted in its place.

MR. SCLATER-BOOTH replied, that the assessment committees would constitute the court of appeal for small ratings, and he believed that it would not be necessary to substitute anything instead. A new clause would probably be laid on the Table on Monday next, which hon. Members would have the opportunity of examining.

MR. RYLANDS said, the discussion was rather an important one; and as the Government had probably other Business to proceed with, it might be convenient to report Progress, and resume the discussion on another occasion.

Committee report Progress; to sit again upon *Tuesday* next, at Two of the clock.

PUBLIC WORKS LOANS (IRELAND) ACT (1877) AMENDMENT BILL—[BILL 219.]

(*Mr. James Lowther, Sir Henry Selwin-Ibbetson.*)

COMMITTEE.

Bill *considered* in Committee.

(In the Committee.)

MAJOR NOLAN said, that a considerable time ago the late Chief Secretary for Ireland (Sir Michael Hicks-Beach) promised that a change would be made in the appointment of the Committee of Management, and of the Governors of Lunatic Asylums in Ireland. At present, there was no election of these officers; they were simply appointed at the pleasure of the Lord Lieutenant; and the promise of the late Chief Secretary, that a change would be made in the mode of their appointment, had not yet been redeemed.

SIR MICHAEL HICKS-BEACH replied, that the promise referred to by the hon. and gallant Gentleman had been more than redeemed by the proposals contained in the Grand Jury Law Amendment Bill.

MR. PARNELL observed, that that Bill had not really been brought forward.

Committee report Progress; to sit again upon *Monday* next.

The House suspended its Sitting at Seven of the clock.

The House resumed its Sitting at Nine of the clock.

ORDERS OF THE DAY.

SUPPLY.—COMMITTEE.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

MINING DISASTERS.—RESOLUTION.

Mr. MACDONALD, in rising to call attention to the appalling frequency of disasters in mines, and to move that—

> "Inasmuch as the history of mining disasters during the last twenty-seven years proves that many of them have resulted from the culpable neglect of well-known provisions in Acts passed for the safety of those employed in Mines, it is expedient that the Government should at once take steps to see that the inspection ordered by the Mines Act of 1872 be rigorously enforced. That should the powers contained in the above-named Act be insufficient to meet the necessities of all cases, the Government ought to introduce without delay a measure that will;"

said, he, from his own experience in connection with mines, was entitled to speak with some authority on the subject; he had also obtained all the information he could from foreign countries. [The hon. Member then proceeded to review the course of legislation upon the subject from the Act of 1850, which first appointed Inspectors of Mines, down to the Act of 1873, which was now in operation.] In that Act, the rule which was first laid down in the Act of 1855, and repeated in subsequent enactments — namely, that the gases in coal mines should be diluted, and thus rendered harmless, was re-affirmed. For himself, he had most perfect faith in the Act of 1873, and if one or two necessary additions were made to it, he believed it would, if properly carried out, be a perfect measure and prevent the occurrence of these terrible disasters in mines. For the legislation which had been adopted with respect to mines at various times, the miners were especially indebted to Mr. Ayrton, Mr. Charles Neate, Sir George Elliot, Lord Elcho, Lord Kinnaird, and Lord Shaftesbury, whose names would always be regarded by them with feelings of deep gratitude. That good results had attended legislation was shown by the fact that whereas in 1850, when the output of coal was only 50,000,000 tons, about 1,000 lives were lost; in 1877, when the output had increased to nearly 134,000,000 tons, the lives lost did not exceed 1,200. If the death-rate had gone on increasing in the same ratio since 1850, it would by this time have amounted to 3,000, while 14,000 or 15,000 would have been permanently injured. There was yet a great loss of life which ought not to be; but, at the same time, there could be no doubt that the Mines Acts had been highly beneficial. It was not to be inferred that he looked upon these Acts as being ineffectual, but he desired that they should be made more effectual. It had been said that it was recklessness, want of care, and want of skill, on the part of the workmen themselves which led to mining disasters; but he would refer the House to the Mines' Inspectors' Reports, showing what Inspectors and juries said about the causes of accidents. Having quoted from these Reports at some length, the hon. Member said he would challenge the Home Secretary, or any other Member of the House, to dispute his assertion, that in the 27 years during which the Reports had existed, up to 1876, in the case of accidents, where more than two persons were killed, over 3,000 persons altogether had, according to the Reports themselves, lost their lives through neglect attributed by juries or by Inspectors to recklessness on the part of the owners and managers. He would assert further, with perfect confidence, that in the case of accidents where the persons killed were under two, 3,000 more lives had been sacrificed during the same time from the neglect of managers or those in charge of the mines. What was the cause of this frightful sacrifice of human life? It was because the mode of inspection was in a large degree illusory. The public were under the impression that the Colliery Inspectors, to whom large salaries were paid, were engaged in a work which would have the effect of rendering miners tolerably secure of their lives while pursuing the dangerous avocation in which they were engaged from day to day. No greater delusion could possibly possess the minds of men. It was stated by an Inspector (Joseph Dickenson, Esq.), who was examined before the Select Committee in 1866, that he wished it to be understood that he only visited a mine when he had information. Now, information could only be had from two parties—the mine owner or the miner. He had never heard, in all his experience, of a mine owner sending for an Inspector to take note of anything wrong; and with regard to the miners, until the issue of the Home Secretary's Circular, they had had very little confidence in this system of inspection. Now, his contention was, that if the law were carried out, and the gas diluted as it ought to be, the accidents which had occurred would have been rendered impossible. Mr. Wynne, a good, judicious, active, and intelligent Inspector, stated in his Report that the Deep Pit accident, in which 54 lives were lost, occurred in consequence of the employment of an utterly incompetent manager. Yet that manager had a certificate, and for all he knew was a manager still. He had himself attended the investigation into the cause of the Blantyre accident, and witness after witness stated that there had been an utter disregard not only of the special, but of the general rules. Inspectors had complained that their directions were not carried out. He asked, why should not the Inspectors see that their directions were carried out? It was to the disregard of those directions that the loss of life was attributed in many of these cases, yet no efforts seemed to have been made to see that the directions were observed; and therefore he concluded that the system of inspection was, to a large extent, illusory. He repeated, that until they had inspection more complete and more thoroughly effective, they would never have things better than they were now. Inspection had done great good, but inspection should be more effectual. He did not wish in any way to take the management out of the hands of the mine owners; but the Inspectors ought to go more frequently into the mine, as he was sure if they did so the condition of the mine would be more satisfactory. It was, however, contended by some that it was not the want of due inspection, but rather the recklessness of the workmen themselves, which was the cause of so many of those accidents. Now, under the Act of 1872, the mine owners were compelled to have special rules for the conduct, guidance, and discipline of their workmen, and to a breach of those rules was attached the penalty of a fine of £2, or a calendar month's imprisonment. If the rules they made were adequate—if, then, those rules were properly carried into effect, recklessness must, he maintained, be speedily put down, and if life were sacrificed, it was because they were not made sufficiently stringent. It was said that to make them more stringent would be to take away the liberty of the subject; but no man, he contended, should be allowed to be at liberty to imperil the lives of hundreds of his fellow-creatures. In his view, at all events, everything should be done in the way of precaution rather than that those lamentable scenes should occur, which in the course of his life he had so frequently witnessed. The Act of Parliament was nearly all that could be desired. What was required was that its provisions should be thoroughly enforced with respect to ventilation and more complete inspection. The Inspectors ought, he thought, to be called upon to make weekly or monthly Reports, in which a full statement should be given of the visits which they paid to mines, and the condition in which they found them, and blasting should be prohibited in fiery mines. The Home Secretary might perhaps say that a large number of men liked that mode of working; but was he prepared to admit the right of men to destroy one another? He was prepared, as far as the men were concerned, for military discipline, or for examination on entering a mine, as in the case of powder mills, if it were necessary, for the prevention of calamities. Chiefly and in particular he asked the Government to prohibit blasting in fiery mines; for what was the use of precautions with regard to lamps while blasting, which might at any moment dislodge and fire a magazine of gas, was permitted? A state of things was tolerated which was not becoming to the present condition of civilization and knowledge. Another precaution he asked for was walling-up for the prevention of the accumulation of gas in "goaves." He also wished to call attention to the extreme lightness of the penalties for negligence. At present he could only describe them as frivolous, and it would be necessary, not only to make them substantial, but to see that they were enforced. In the case of wholesale loss of life, the fines had been known to be no more than 2*s.* 6*d.* for each man killed—far less than a costermonger would have to pay for knocking a person down in a London street. There was also another part of the Inspection Act to which attention should be paid. In the year 1872, after 20 years' agitation, provision had been made by which the certificate of a manager might, if necessary, be cancelled; but under that 32nd clause, though more than 200 accidents had occurred since 1872 in which the managers ought to have been prosecuted, that had been done only in two cases, and both of them were dismissed. He was confident that there would be a great change, if the provisions of that clause were more generally put into operation. Again, Clause 61 provided that where an owner, or manager, or workman did that which caused bodily injury, he might be punished by imprisonment either with or without hard labour; yet, so far as he knew, no one had ever been prosecuted under that clause, though in all probability there had been numberless occasions for prosecution. He would draw the attention of the Home Secretary to the fact that the Chief Inspector of Mines was opposed to the prosecution of managers, and wished to know if the same spirit pervaded the whole body of Inspectors? If the Inspectors took their opinion from the Chief Inspector, they ought to be told this. The intention of the Legislature had been frustrated by the neglect in carrying out this measure for the safety of the men. If it were the fault of the magistrates, then he was sorry that they had not a higher respect for the lives of those who followed this hazardous occupation. If he had spoken warmly, it was because he felt keenly on the subject, having seen whole villages devastated, as he believed by neglect. He would entreat the House to consider the question earnestly and carefully, for the voices of widows and fatherless children cried out for protection. He would also remind the House that they were standing between the dead of Haydock Mine and those who might be placed in a similar position at any moment. The living called upon them to take action. He wished to express his thanks to the present Home Secretary for what he had done in the matter; he had done far more than any of his Predecessors. He had also expressed himself more freely, and he implored him to see that the Act was enforced with great strictness, so that the lives of their sturdy mining population might not be destroyed as they had hitherto been. The hon. Gentleman concluded by moving the Resolution of which he had given Notice.

Mr. BURT, in seconding the Resolution, said, that the subject was one of great importance, and that one of the saddest chapters in the history of British industry was that which told of disasters in connection with mines, presenting, in the midst of peace, almost the terrors and carnage of the battle-field. Certainly, the House had never been indifferent to the necessity of meeting the difficulty. Again and again Committees had inquired into the subject, and Acts of Parliament had been passed in order to mitigate the dangers of mining—Acts which had been attended with the best results, as the percentage of loss of life, whether compared with the quantity of mineral raised or with the number of men employed, had considerably diminished. One of the best Acts ever passed was that of 1872, and if that Act were strictly enforced, very little necessity would exist for new legislation. Never had the position of Home Secretary been filled by a man who was more anxious to enforce that Act than the present occupant of that Office. He felt very much indebted to that right hon. Gentleman for the instructions he had lately issued to the Inspectors, and he believed that very great benefit would accrue from the stricter carrying out of the existing law. He did not desire to utter any wholesale condemnation of the action of the present Inspectors. Whenever he had occasion to personally call their attention to the Acts not being carried out properly, or to dangers in particular mines, he had always received from them every courtesy and consideration; and, speaking of them generally, he believed they were anxious to discharge conscientiously and energetically the important duties which devolved on them. But there certainly had existed among the Inspectors what he held to be a very vicious theory as to the mode of carrying out inspection. Many of them did not feel it at all incumbent on them to examine a mine unless they were specially sent for, or unless an accident had occurred. The instructions recently issued by the Home Secretary would, he hoped, remove that delusion, and convince the Inspectors that it was their duty to examine a mine, whether they were sent for or not, and whether an accident had or had not happened. Again, when managers had been proved to be negligent, and when there was *primâ facie* evidence that they were incapable, he thought it would be well that their certificates should be suspended or cancelled. Anyone at all acquainted with the circumstances of the Blantyre Colliery explosion, would know that in that case there had been the grossest negligence and constant violations of the Mines Regulation Act; and if ever proceedings should have been taken to mark such misconduct, surely that would have been a proper instance for doing so. Examples should be made, whether by prosecution or by the suspension or cancelling of managers' certificates, where grave and manifest negligence had been shown. The Inspectors referred to the fact that the workmen did not avail themselves, as they might do, of the power given them by the Act to examine mines. For himself, he was sorry that the men did not adopt that course more frequently. But the examination of a large mine involved a great amount of time and labour; and it was, perhaps, hardly to be expected that a workman would undertake such a task. That provision of the Act had, therefore, not been carried out, except where the workmen were well-organized, and they deputed some of their own body to make the inspection. In certain cases this had been done satisfactorily, and he had never heard of any unpleasantness having arisen between the men and their employers in consequence. He did not wish to palliate the shortcomings of the workpeople when Parliament had given them the power to look after their own safety, and he hoped that part of the Act would be more strictly carried out by the men than it had been hitherto. Turning to the consideration of what further should be done, they came to a more difficult matter than criticism of the present law. They should, however, he thought, be careful not to pass without inquiry any general and sweeping enactments without regard to the peculiarities and circumstances of particular districts. Influential organs of the Press had recommended that the safety-lamp should be adopted throughout all the mines of the country, and that blasting should be altogether abolished. Such a course would not only be unnecessary, but would be even mischievous in its effect. Let him illustrate that by reference to the calamity which had occurred in the Haydock Mine. At Haydock the safety-lamp was in general use, and blasting was strictly prohibited; and yet one of the most disastrous explosions ever recorded in the history of their mining industry happened there the other day. It was not necessary to abolish blasting altogether, for, in many mines, blasting was just as safe as it would be in that House. [*Laughter.*] Hon. Gentlemen might laugh at his way of putting it; but what he meant was there was no risk of explosion from blasting except where there was fire-damp, and that was the point under consideration. Explosions were not the only or the chief element of danger which the miner had to encounter. Upwards of 28,000 lives had been lost in mines since 1851, and over 6,000 of them had been lost through explosions; while upwards of 11,000 had been lost through falls of stone and coal. As a practical miner, he did not hesitate to say that if they enforced the general adoption of the safety-lamp, with the miserably insufficient light it yielded, they would greatly increase the dangers arising from causes other than explosions. He thought that in certain parts of the country it might be desirable to abolish blasting altogether; and, as a general rule, blasting should be entirely prohibited wherever it was absolutely necessary that the safety-lamp should be used. It was absurd to hedge about a small flame of less than one inch, and to deal recklessly with a flame which might be hundreds of times as great. After everything had been done, however, which science could suggest and skill could execute, and after the miners had become careful and intelligent, still mining must remain one of the most dangerous occupations that a man could follow. That, however, afforded the strongest reason why they should do all they possibly could to guard the lives and lighten the burden of those who followed an occupation so laborious and hazardous as that of mining.

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "inasmuch as the history of mining disasters during the last twenty-seven years proves that many of them have resulted from the culpable neglect of well-known provisions in Acts passed for the safety of those employed in Mines, it is expedient that the Government should at once take steps to see that the inspection ordered by the Mines Act of 1872 be rigorously enforced;

That, should the powers contained in the above-named Act be insufficient to meet the necessities of all the cases, the Government ought to introduce a measure without delay that will,"—(*Mr. Macdonald,*)

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

Sir GEORGE ELLIOT said, he had listened with great interest to the able speeches which had been made by the hon. Members for Stafford and Morpeth. Setting aside, for a moment, what some might have thought an exaggeration on the part of the hon. Member for Stafford as to the causes of negligence, he might say that he remembered many of the accidents to which he had referred—for instance, Ince Hall Colliery, near Wigan, and the Oaks Colliery, and the Lundhill catastrophes. In the first case, it was not quite true that the management was censured by the jury. However, he did not intend in any way to oppose the inquiry or to differ from the versions given by the hon. Member for Stafford. From time to time the power given to the Inspectors had led to a great reduction of mischief, and he thought there was no exaggeration in the statement of his hon. Friend, when he said that if the Mines Regulation Acts had not been in operation the death-rate would have been very much greater than it was now. He was very much struck with the statements which had been read out by the hon. Member for Stafford, and it was a very peculiar point, speaking from experience some 40 or 50 years ago, that the accidents mostly took place in Northumberland and Durham. Afterwards, they took another direction—namely, into South Wales. They then occurred in Yorkshire, and finally found their way to Scotland. His own theory was, perhaps, a curious one; but he maintained his own opinion on this point was correct. It might be interesting to shortly explain it, though not quite pertinent to the argument. But they would find the workings from the surface down to a pit of the depth of 400 or 500 feet were, comparatively speaking, not dangerous at all. From 500 down to 1,000, 1,100 or 1,200 feet, he called the zone of greatest danger; and when that depth was passed, there was again less danger in working the coal. He had found that to be the case in many of the pits in Wales; and he ventured to say, if a record of accidents were taken which had occurred below 500 feet down, and those at a depth of 1,100 feet or 1,200 feet, it would be found that two-thirds of the accidents had happened within the zone, and neither above or below it. The object he had in mentioning this was, that it might be necessary in revising or considering any further regulations to put in certain stipulations, so that this point might be considered with a view of placing a limit on a more special supervision on what he called the zone of danger. The hon. Member for Morpeth, in a speech to which he had listened with great pleasure, and who had spoken, as usual, with such good sense and good taste, referred to the subject of inspection; but he could not entirely agree with him. He had, however, come to the conclusion that the object of insisting upon this minute inspection was simply an impossibility when looked at from a practical point of view. They required an Inspector to examine coal mines so minutely as to be able to know, direct, and control the general management and ventilation of collieries. That was not possible, as it would not be in the power of anyone to do so. He remembered when he was managing one of his own collieries some years ago—the Usworth—an Inspector came and examined the colliery, and in the course of the examination he made a suggestion, rather a peremptory one, that such and such alteration ought to be made in the ventilation. It happened that everything he suggested to him were the very things he had himself tried previously, and as they had failed, he had been obliged to have recourse to the means then in operation, and which were far superior to the method suggested. This, then, showed that it was impossible for an Inspector, who only visited a mine occasionally, to understand what were the best precautions to be taken as well as the manager of a colliery, who was constantly in attendance. He believed that if too stringent measures were enforced it would only hamper the inspection of mines to a very great extent, and he therefore considered that the making of inquiries by Inspectors from time to time, as to where they were, what they were doing, and requiring proper returns and statements to be made and prepared, would have a much better result. He now came to the next point, which was one which he had been for years acquainted with. He meant the proposition whether coal should be worked by means of gunpowder or by other means. The use of gunpowder simply meant the application of a naked light, which was of itself a great source of danger. He knew that what he was saying would be much criticized, and he was aware, also, that if what he was about to suggest were adopted would affect anyone prejudically, it could not be more prejudicial to anyone more than to himself. These, however, were the convictions he had arrived at, after considering all the circumstances of the case—that the best remedy he could suggest was that naked lights or fires should not be used where inflammable gas existed. If this were not done, accidents would occur from time to time, and one great protection for the miner would be lost. Then another factor in these accidents was this — that mines were now much deeper than they were formerly. Thirty or 40 men were then in a pit; there were now hundreds employed. Where such large numbers were employed, it was impossible to provide against individual carelessness. He had an accident in the colliery within the last two months, where a man endangered the lives of his fellow-men by the most simple inattention to an obvious duty —namely, putting an India-rubber baud beneath the glass cylinder of the clanny lamp. As the hon. Member for Morpeth (Mr. Burt) very properly remarked, after everything was done for safety, mining was still a very dangerous employment. It had been stated in that House, that the Mines Regulation Acts had enhanced the cost of the getting of coal by 1*s.* or 1*s.* 3*d.* per ton. Some of the managers had informed him that the Mines Regulation Acts had cost a considerable sum; but he told them that when they alleged that all the increased cost was due to the Acts, he denied the accuracy of their opinion, and told them that they must look elsewhere for the increased cost. What he should like the Government to do was to have a Royal Commission appointed to ascertain how much the Act had increased the cost of production, and how much. The abolition of blasting in fiery mines would probably increase the cost to the consumer; but he agreed with the hon. Member for Morpeth, that in coal mines where there was a great amount of gas, there was no other remedy than the prohibition of the use of gunpowder. There were other remedies which might be used advantageously; but the remedy that he would pledge his honour and his professional opinion and experience to that House, as best conducive to the safety of the miner, was the abolition of gunpowder in fiery mines.

MR. LYON PLAYFAIR: The hon. Member for Stafford (Mr. Macdonald) has done good service to the cause of humanity in drawing attention to accidents in mines, some of which have recently been of appalling severity. No doubt, he is right when he contends that all accidents of this kind are preventable, and, therefore, that they ought to be prevented. Any breach by man of a law of nature is punished with inexorable severity. If a man loses his balance on the top of a precipice, the earth has no bowels of compassion, and by its gravity, assuredly will drag him down and mangle him at the bottom. So is it in mines. There are certain scientific conditions for safety, and when these are kept there is perfect security; but if one of them is broken, the destruction of the miner is swift and sure. The laws under which fiery gas explodes are perfectly known. The dilution with air, which renders it harmless, has been as accurately measured as science and practice can require. Science has given to us, in the safety lamp, a means by which you can pass through explosive mixtures with perfect safety. I have spent hours in a mine, after an accident, in passages filled with explosive gas, with a sense that great care would afford me security. But no sane person ought to trust to this means of safety, except under constant vigilance, for a quick and sudden current of air, or an accidental rupture of the gauze, renders the lamp useless. When the fiery gases begin to flicker inside the safety lamp, that ought to be taken as an immediate warning that the main condition of safety—efficient ventilation—is in a bad state, and it should at once be rectified. Neglect of this precaution is said to have been the cause of the great Blantyre explosion. Yet, with all our knowledge and means of safety, appalling accidents still occur. As they are preventable, and ought to be prevented, on whom should we fix the responsibility? There are two classes primarily responsible. The employers are responsible for all the means of safety under their control, for the winding gear, for the upholding of the passages and other means of communication, for efficient ventilation of the mine, and for the good state of the safety-lamp. The miners, on the other hand, are responsible that they use all these appliances with intelligence and caution. If the miner sits on the cage so carelessly, in the ascent or descent, that he tumbles over, he, and not the employer, is in fault. If the miner leaves open a ventilating door which he should have shut, or if he unscrews his lamp, or pokes a hole in it in order to light his pipe, and an explosion follows, the employer can have no share in this responsibility. Surely, then, it is clear that the relative responsibilities of employer and employed should be sharply defined, and that each should be punished for an infraction of means of security devised for the safety of all those occupied in a mine? Clearly, the two chief factors in carrying out measures of safety are the employers and employed, and nothing whatever should be done to lessen their several, or, it may be, mutual, responsibilities in the eye of the law. But the terms of the Motion of the hon. Member for Stafford introduces another factor, upon which he would place a chief reliance. He attributes the accidents in mines chiefly to the negligence with which Government inspection is enforced. To my mind, the exaltation of this factor is very likely to lessen the value of the two more important factors—the immediate responsibilities of the employers and employed. Certain powers have been given to the Executive Government to see that well-known measures of safety and good discipline shall be carried out in each mine. A neglect of these forms a proper subject of inspection and prosecution. But no Government inspection can be nearly so effective as the constant immediate responsibilities of employers and employed. The rupture of one wire in the gauze cage of a safety-lamp is sufficient to cause an explosion. What system of inspection can provide against that? The slamming of a door, which may divert the current of air from the fiery facing of coal, when it is oozing out gas at every pore, may produce an explosion. How can Government inspection provide against that? The more that you increase Government inspection, the more you lessen individual responsibility. It is the latter which we should do everything to augment. But personal responsibility is of little value, unless it is guided by intelligence. One single man, by his ignorance, may imperil the safety of a whole mine. Do we do anything to augment that intelligence? The State has made education compulsory, but it does not adapt that education to a working man's requirements. Some higher and specific subjects are attached to schools, in order to induce a brighter intelligence; but they are cast in such a rigid mould, that no teacher can adapt them to the requirements of his pupils. Passes in grammar or geography will never tell a miner what is the nature of air and its movements, so as to produce ventilation, or inform him of the character of fiery gas which is the evil spirit that infests his workings. And so I have seen, when I acted as a Commissioner on Mining Accidents, underground men, responsible for the whole ventilation and safety of a mine, who could not tell me what air was, and who were absolutely ignorant of the nature of the fire-damp which scorched miners, or of choke-damp which suffocated them. I see that the deputation of miners who waited on the Home Secretary the other day admitted this gross ignorance, and asked him to secure knowledge on the part of such men. But how is knowledge to be had when it is not taught? A free grant for such useful knowledge in many districts, instead of grammar, would soon extend it so that knowledge might become power for the prevention of accidents. It is by doing everything to promote the exercise of intelligent watchfulness and care on the part of the employers and employed, that we must look for the lessening of accidents in mines. Government ought to enforce the general rules of safety, as provided by the Act, but should not accept a detailed responsibility which it cannot possibly discharge. But it may do much to promote an intelligent acquaintance with the well-known laws which are necessary for public safety; and when it has given an opportunity in primary and secondary schools for these laws to be learned, then it would be a duty of the State to enforce a knowledge of them on every officer who is charged with the measures of safety.

MR. KNOWLES admitted that the question which had been raised did not concern that House, or the mine owners and those employed in mines alone, but the whole country. There was more coal raised in this country than in all the other parts of the world put together, and in their coal supply lay, to a great extent, the secret of their greatness; and, comparatively, he did not think the number of casualties occurring in the course of mining operations was greater, or as great, here as in other countries where the same industry formed part of the national life. Nothing could be accomplished in the way of preventing accidents except by the co-operation of employers and employed. He was not one who had ever thrown cold water upon inspection, and he quite agreed that if they had more Inspectors it would be better. He believed that inspection in the past had done an enormous amount of good. It could not be denied that they were making progress. He recollected when he was working in the mine himself that women were employed in the mines. The question of ventilation had always been a difficulty. In 1850 he had taken part in an effort which was then made to have an adequate amount of ventilation, and some people who took a great interest in that matter thought it was impossible to have it at all times. He contended they had Inspectors in every mine. In a large mine he had no doubt there were 12 Inspectors. The firemen and others were all Inspectors; but if the Government thought fit to increase the number, he should be glad to see it done. The suggestion as to the extent to which the safety-lamps should be used was an important one. In consequence of the small light it gave there was not a good chance of examining the roof and fractures in the coal, and hence accidents arose. At the same time, he would say that no man ought to have the right to work where it was not safe to have a naked light and to blast. They met with great difficulties, however, in consequence of the great depth, and all mines made gas at one time or another. They had an accident near Bolton some time ago in a mine which was considered to be perfectly safe, and which, he believed, was perfectly safe up to the time of the explosion. The men worked with naked lights, and they blasted coal, but every one of them was killed. That accident was, he had no doubt, due to a sudden outburst of gas. Unfortunately, if an explosion should occur in a well-ventilated mine, the consequences would be much more serious than in an ill-ventilated mine. If examination were made, he thought it would be found that since the last Act was passed, and since they had had heavy ventilation, the explosions had been of a much worse character than formerly. Bitter as the pill might be to swallow, they would have to consider the question of doing away with blasting altogether, and also with the use of naked lights. Their first consideration should be to protect the lives of their workpeople, no matter at what cost, and in saying this he believed he was speaking what was the sentiment of the whole of the coal owners. The hon. Member for Stafford (Mr. Macdonald) said that the managers ought to be brought into Court whenever an accident occurred; but he deprecated such a proposal, as it would involve a censure on individuals in cases where they might be wholly free from blame. The result of such a course would be that very soon there would not be one reliable manager of a mine left. They should remember that managers and coal owners were not infallible. The occupation in which they were engaged was a very dangerous one, and he believed that in circumstances of great difficulty they did their best. The men engaged in mines would, he was convinced, compare favourably with a like number of men of any other occupation. Where there was good and strict discipline there was little or no recklessness. For the last five years he had not had occasion to call any collier in his employment to account for striking a match, lighting a pipe, or doing any other act which might occasion an explosion. Hard things had been said of mine managers, but they should remember that these men were formerly workers in the mines, and were selected for their position on account of their special fitness, skill, and good conduct. Then, again, an owner invested in a mine £50,000 or £100,000, and it was simply preposterous to thinkthat either manager or owner would be so negligent as the one to bring ruin upon himself or the other to leave himself open to a criminal prosecution. If the Home Secretary and the House thought it desirable to have the subject investigated by a Committee, both owners and managers would afford them every facility to make the inquiry complete and satisfactory He believed they would also heartily co-operate in the carrying out of any scheme by which life and property would be rendered more secure than they now were.

Mr. J. COWEN said, he thought the Members of the House who interested themselves in the promotion of the Mines Regulation Act of 1872 had every reason to congratulate themselves on the success of that measure. It had not accomplished everything that some of its warmest promoters expected from it, but it had achieved a great deal; and worked, as it would be in the future, under the rules that the Home Secretary had just drawn up for the guidance of Inspectors, it would, no doubt, produce better results in the time to come. He thought the House, and the country too, ought to be congratulated on the improved tone of the discussion which took place on this subject. Everyone familiar with mining legislation could not fail to be struck with the different spirit that now pervaded the speeches on both sides of the House, with that which pervaded them when those measures were first introduced. The fears then entertained as to the consequences likely to be produced had proved to be fallacious, and the good results were acknowledged by all. Casualties in mines occurred from three causes. First, there were accidents that were unpreventable. No skill, or science, or art, could stop them. Under certain conditions that were unknown and inevitable, sad catastrophes took place. Others occurred through the ignorance or indifference of the owners and managers. Others, again, through the recklessness and carelessness of the workmen. But he believed that these two latter kind of accidents were greatly exaggerated. They were not nearly so numerous as was generally supposed. It should always be recollected that a miner went to work with his life in his hand. A coal owner by his carelessness risked his property. He could not insure himself against accidents. A man might buy a ship, insure it, send it to sea, and sink it, and perhaps be a gainer in consequence. But they could not insure a mine, and everyone who lived in mining districts knew numerous incidents where men had been ruined through accidents in their collieries. They might make up their minds, therefore, that under any circumstances, even the most favourable, they would always have accidents in these undertakings. The public were only excited on this subject when they received intelligence of some terrible explosion. It should be recollected, however, as his hon. Friend the Member for Morpeth (Mr. Burt) had said, that the number of people killed by explosions was, comparatively, much smaller than those killed by the ordinary working of mines, such as the falling of the roof, and other unavoidable causes. The number of persons thus deprived of life was considerable; but the circumstances usually excited little commiseration, as they came two or three at a time, and not in scores or hundreds. But even that was not the worst of it. There were hundreds and thousands of men who met with accidents, who, though not killed outright, were maimed for life, and whose calamities were never heard of. The Home Secretary received a list of the persons who were absolutely killed, but he received no return as to the number of men who had their backs injured, their ribs squeezed in, or their legs broken—men who were carried home alive, who might live for a few weeks, a few months, a few years, but who were useless to themselves and a burden to their relatives. It was some provision for these men that ought to be made. They had a Society in the North of England—the Miner's Provident—and he believed the records showed that one out of every six members in a year received more or less injury in the pits. It had been calculated, upon very good authority, that something like 20,000 miners in a twelvemonth were injured in the pursuit of their employment. What he would suggest to the Home Secretary was, that a provision should be made for the families of these men, and for the men themselves, when they could not continue their work. By the imposition of a tax of, say a farthing a-ton, or half-a-farthing a-ton on all coal raised, and by the men themselves agreeing to contribute a certain percentage of their wages, a fund might be accumulated that would provide for all contingencies, and prevent the constant appeals to the public for help that were now made for the miners after a calamity. The fund in Northumberland had been successful. What he desired was to simply take that principle, and apply it to the whole nation. They had a precedent for it. Many years ago the keelmen on the river Tyne—men who were employed in carrying the coals from the staithes to the ships—had a fund of this kind established. The late Lord Brougham (then Mr. Brougham) and the late Lord Abinger (then Mr. Scarlett), and others, interested themselves in passing a Bill through Parliament that imposed a farthing a-chaldron on all coals that were shipped in the Tyne, and 8*d.* a-tide on the men. This fund, for years, was the support of disabled watermen, and was highly successful. By the altered circumstances of commerce the trade had decayed, and the fund was abolished. But the principle that underlay it might be fairly applied to mining operations generally. The mine owners would not suffer by it, because the farthing a-ton would ultimately come out of the consumers' pocket. The public would not be injured, because the poor rate would be lessened in consequence; and the men, by contributing to it, would feel that they were doing something towards their own comfort and independence in infirmity and old age. He would make still another suggestion. It was observed that accidents in coal mines seldom came singly. When there had been one, two or three always succeeded it. There was every reason to believe that these casualties were occasioned by some sudden and great change in the atmosphere. Whenever a cyclone or circle of storms visited this country, they frequently produced a series of mining accidents. What he would suggest to the Home Secretary was, that he should telegraph to the different mines in the country in the same way as he telegraphed to the different seaports an indication of a coming storm or change in the weather. The publication of this meteorological information had been of great service to seamen, and he felt satisfied that if like care were taken in giving similar warnings to mine owners and managers, that some, at least, of the explosions might be avoided. What might be only a piece of inoffensive carelessness one day when the weather was fine, might the next day, on account of the difference in the atmosphere, be the cause of a serious catastrophe. If the miners were called upon to give additional care when the weather was threatening, then some of the accidents might be prevented, or their severity lessened. One observation further he wished to make, and that was with respect to the use of blasting powder. He quite agreed with the hon. Member for North Durham (Sir George Elliot), that the use of blasting powder ought to be prevented in fiery mines. He also agreed with his hon. Friend the Member for Morpeth, that wherever safety-lamps had to be used blasting ought to be prohibited. But it would be folly to discontinue blasting in all mines, especially in cases where they could use candle openly, and where there was no gas. They might blast whole coal without danger. It was when they began to blast the pillars in the "broken," that there was the greatest risk. They talked about the additional costs that the Mines Regulation Act had thrown upon the production of coal; but if Parliament made up its mind to prohibit absolutely, and under all circumstances, the use of blasting powder, they would find that they would entail upon the consumer a vast deal greater charge than ever the Mines Regulation Act had heretofore imposed. He also desired them to remember that by preventing the use of powder, they would greatly increase the labour of the miner and the hardships of his occupation. The use of powder might be reckless, but regulation was one thing and prevention another.

LORD ELCHO said, the country ought to be proud of men such as the hon. Member for Stafford (Mr. Macdonald) and the hon. Member for Morpeth (Mr. Burt), and his two hon. Friends behind him, who, having begun life as practical miners, had raised themselves to the position which they now occupied. Those who had any share in the passing of the Mines Regulation Act of 1872 must be gratified at the testimony which had been borne by those hon. Gentlemen to its value as a piece of legislation, and that all that was necessary was that it should be put into operation. He had always held that the principle of a periodical inspection of mines was perfectly sound, and he was glad to hear that a reduction of loss of life had followed; but there were so many mines, that it was impossible to look either for a thorough or for a daily inspection, but only for such as would give practical effect to the Act. He had seen the special instructions issued by the Home Secretary, and he felt that all that could be done without fresh legislation should be tried first; and, of course, if that proved insufficient, the right hon. Gentleman could take further steps for the attainment of his object, with the full knowledge that the House would support him in all that he might think necessary for the benefit of the mining population.

Mr. PLIMSOLL ventured to make a call upon men of science to do what they could for the prevention of accidents in mines. Parliament had done its duty by passing Acts to insure all due precautions being taken, and if scientific men could suggest some means by which accumulations of fire-damp might be traced, or made visible, it would be a great boon. It appeared to him quite possible that some chemical means could be found to make the presence of the gas visible, and he saw no reason why the scientific difficulty need be considered insuperable.

Mr. ASSHETON CROSS said, that he was extremely glad that this subject had been debated, and nothing rejoiced him more than the tone in which the discussion had been conducted; for it showed, at all events, a common feeling among employers and employed, and all connected with mines, that everything should be done that could be done, either by legislation or otherwise, for the purpose of reducing, as far as possible, the danger to the workmen in mines. So far as that went, he was grateful to the hon. Members who had spoken for strengthening the hands of the Secretary of State in carrying out the work in which he had been for some time engaged; and he could not treat the debate as an attack, either upon the Government or himself. The hon. Member for Morpeth (Mr. Burt) had been good enough the other day to introduce to him a deputation, from whom he had learned that the Mines Act was being worked in a satisfactory manner. Therefore, he did not think that the Motion on the Paper was in the least a reflection on the Government. With respect to the practical question of what could be done, the hon. Member for Stafford (Mr. Macdonald) went a good deal into the early history of the loss of life in mining operations; and also, with respect to later times, he had shown that, although accidents were much less frequent than formerly, there were still sufficient to direct attention to the subject, and to prove the need of further action to reduce the loss of life in these operations. It was not his (Mr. Assheton Cross's) desire to lay undue stress on what had already been done, nor could he contend that enough had been achieved. But it was right that it should be known that the Mining Acts that had been passed had been very successful, and had materially reduced the loss of life. If they looked at the Reports of the Mining Inspectors for the present year, they would find that, taking the decade from 1851 to 1860, the loss of life from explosions had reached 82 in the year. That was the number of accidents, not of deaths. In the next 10 years—1860 to 1870—the average was 56. Further, if they took from the time of the Mines Regulation Act—namely, the beginning of 1873 to the end of 1877—they would find that the average had been reduced to 44. The result, therefore, was that, in the first 10 years he had taken, the accidents causing one or more deaths were 82; and since the passing of the Act they had been only 44. That showed, at all events, a considerable reduction. Again, if the number of deaths caused by accidents, and not the number of accidents, were taken for the same period—from 1851 to 1860—the average each year would be found to be 244. In the next decade, the average was reduced to 226; and, since the passing of the Mines Regulation Act, the average had been still further reduced to 99. Thus, since the passing of the Act, the number of deaths had been reduced from 244 to 99. That was a great step in the right direction, and it became a much greater step if they took into consideration the increased number of people employed in mining operations. They must also consider what fell from the hon. Member for North Durham (Sir George Elliot), and which, to his mind, had a very great deal to do with these accidents—namely, that they had got down to the dangerous zone. They were not now working the same class of mines as in the first decade; but a much more dangerous class was being worked in many parts of the country, and also, probably, worked without those persons who were engaged in the mining operations knowing of the danger which they were incurring. Taking that into consideration, they would find that, in the first period he had taken, the ratio of persons employed to each death was 1,008, and in the second decade, it was 1,400. That was a considerable difference. He did not wish to press too much on figures; all he desired to show was, that from 1851 to the present time, there had been a great reduction in the number of deaths, and in the number of accidents causing deaths—a very large reduction when the increased number of people employed in mines was considered. He only hoped that when the Act had been enforced for a few more years, they might be able to reduce that number considerably below its present rate. The deputation, introduced to him by the hon. Member for Morpeth, spoke of several points on which they thought the Mines Regulation Act ought to be strictly enforced, and he entirely agreed with them. When he first came into Office that Act was handed over to him by his Predecessor, and required very carefully looking into; and the longer he had been in Office the more he had been impressed with that fact. He did not think he should be charged with not having put the Act into force to a greater extent than it had formerly been. There had not been, to his knowledge, any serious accident in regard to which he had not sent down a special person to inquire at the inquest into the cause of death. He only mentioned the point for this reason, that it was curious to see in how few cases he had been able to institute a prosecution. He had always sent down the most independent man he could find to the inquest; and, except when he first came into Office, and when he admitted that he was not quite so much alive to the working of the Act as he had since become—in every single case since, he had given absolute instructions that wherever a prosecution could be instituted, criminally or otherwise, it should be done. In the result, he was bound to say that they were very seldom able to prosecute; but, whenever they could show actual criminal negligence, a prosecution had been instituted. The hon. Member for Morpeth and the hon. Member for Stafford, in common with the deputation, were of opinion that very great care ought to be taken with regard to the certificates of managers. He entirely agreed with that; he looked upon the certificates of managers of mines precisely in the same light as the certificates of the masters of ships, licensed by the Board of Trade. He thought that wherever there was any negligence by which the master of a ship could have had his certificate taken away, the same rule ought to be followed in the case of a negligent manager of a mine. The result had been, that in the instructions which had been issued the Inspectors—and he could not act without a report—had every one of them a special notice, that if they saw there was such negligence as in their opinion would warrant a prosecution in the case of a certificated manager of a mine, they must give information to the Home Office in order that an immediate prosecution might take place. The hon. Member for Morpeth (Mr. Burt) had said that there was a difficulty about Inspectors, because an Inspector might go to a mine one day and find it perfectly safe, yet a sudden explosion might occur in it—perhaps the next day, or the week after it had been inspected—and something very serious might occur. Therefore, the hon. Member for Morpeth, and the deputation, expressed some doubt whether inspection as now carried out would protect the owner of a mine. His answer was that he did not think inspection would protect the owner of a mine, except in this respect—that if the mines were constantly inspected, the Report of the Inspector would be *primâ facie* evidence before a jury that the owner and manager had taken proper precautions. But if it were proved, also, that the owner or manager of the mine had been guilty of carelessness, he would be equally liable whether or not the Inspector had gone over the mine. When they came to the case of inspection, he agreed with what had been said in the course of the debate, that they must rely mainly for the operation of the Act upon the responsibility of employers and employed; they must rely, so far as the Home Office was concerned, upon inspection, but not too much, because the Inspector might go into a mine one day and report it safe, and the week after it might be in a totally different condition. What he meant to say was, that no number of

Inspectors they could possibly have could inspect all the mines and all the workings in mines. It was within the knowledge of everyone that was at all acquainted with mines, that it could not on any day be told from what quarter danger would come, or whether a mine would continue safe one single day. But the duty of the Inspectors must be to see that the special rules were right, that the general rules were carried out, and that the general discipline of the mine was right and proper. He quite agreed that there had been differences of opinion among Inspectors as to what their actual duties really were. Some of them he knew had expressed the opinion that they were not to visit a mine unless there had been some accident there, or unless they had been sent for either by the workmen or someone else. That view he entirely repudiated, and, in the result, he had thought it better to issue consolidated regulations from the Home Office to the Inspectors, which would state as clearly as could be the views of the Home Office as to their duties. Those regulations stated that, first of all, it was the duty of an Inspector to visit and inspect a mine on invitation; next, on complaint; and, inasmuch as miners were apt to shrink from volunteering information for fear of giving offence to their employers, the Inspectors should pay attention even to anonymous complaints, provided that they were not on their face incredible or unreasonable. Further, wherever the information proceeded from—a private or anonymous source—he should be careful so to conduct the inquiry that it should not point to his informant, or lead to his becoming known, when he had received neither invitation nor complaint; but from information—such as from time to time could not fail to come to him in the course of the regular discharge of his duties—he had reason to believe that the mine was not satisfactorily conducted, or was not in accordance with the Statute. In the above cases the Inspector would not send notice of his intended visit, if, in his judgment, it was likely to frustrate the object of the inquiry. In addition to these inspections, which were imperative, and other inspections which the Inspector might take the opportunity of making when he had to visit a mine for the purpose of transacting other business—as inquiry into an accident, or arranging for the establishment of special rules—it would be the duty of the Inspector to devote whatever time he could spare to the inspection of those mines where he thought it most likely to be of service, such inspection to be above ground and below ground, and without notice. The liability to an official inspection at any time, without warning, might be a most effective guarantee against abuse; and an unexpected visit from an Inspector was none the less beneficial because he found nothing of which to complain. The Inspector, therefore, should make a point of arranging his business, and that of the Assistant Inspector, with a special view to secure as large an amount of time as possible for these casual inspections. It was in the confidence that Inspectors realized and conscientiously discharged this obligation, that the Secretary of State had abstained from requiring each Inspector to send in a periodical Report of the business done on each day. But this dispensation made it the more necessary that an Inspector, in drawing up his annual Report, should, for the satisfaction of Parliament and the country, state enough to show that this most important part of his duties had been habitually and effectively carried out. For that purpose, the Inspector would keep a record of his visits to all the mines which he inspected, and of the result of each inspection. Those were the Rules which had been issued for the information of Inspectors, and he did not think that inspection could be carried further than was laid down by them. Then, so far as the competency of the managers was concerned, whatever circumstance came to the knowledge of the Inspector which should lead him to the opinion that an inquiry ought to be made under Section 32 of the Mines Regulation Act, it would be his duty to make application to the Secretary of State. The hon. Member for Morpeth and the hon. Member for Stafford had alluded to the use of safety-lamps and to operations by blasting. He quite agreed that it would be wise—wherever it was necessary to do so—to use the best safety-lamps that could possibly be employed. But it should not be forgotten that there was danger from the falling of the roof, and there could be no doubt that the number of accidents from that source was greater than those from explosions. They must not, therefore, come to the conclusion that because it was insisted that everybody carried a safety-lamp, all the danger would be got rid of; for, in some cases, instead of preventing danger, the tendency was to increase it. The question of introducing the safety-lamp must be treated with discretion. With regard to blasting, that was a very different question, and he was aware that there had been a great difference of opinion amongst Inspectors on that point. Some of the Inspectors held a very strong conviction that blasting ought to be given up in what were called fiery mines. No one would say, however, that blasting ought to be given up in every mine. In some mines it would be a great deal safer to blast than in that House, and would not produce such dangerous consequences. In several cases which had come under his notice, he had pressed on the owners of collieries—for he had no power to interfere further—that they should give up blasting by gunpowder in fiery mines. But he had known in many instances that the objection to the discontinuance of blasting came not so much from the masters and colliery owners as from the men themselves; because, where blasting was employed, a much greater quantity of coal could be obtained in a shorter time. What he said to the deputation the other day, and which he thought ought to be fairly considered, was, that in all cases where the mine owner was unwilling that blasting should be employed, the men ought to make no objection. If objection on the part of the men should cease, he did not believe there would be much on the part of the owners to the discontinuance of blasting. With respect to what had fallen from the hon. Member for North Durham (Sir George Elliot), he did not think that the cost of getting the coal without blasting would be very much increased. So long as blasting was carried on in the fiery mines, it was obvious that the danger must be greatly increased. Why was it that in those dangerous mines the men were compelled to have safety-lamps? Because it was not thought right that a candle or naked light should be used. But if a wretched farthing candle could not be trusted, why could a great stream of light from blasting be allowed? It was inconsistent to prohibit the farthing candle and to permit the blast. He did not think that at the present moment it would be necessary to appoint a Royal Commission, because the Government had called the attention of mine owners throughout the country to the subject, and before another Session he hoped to have their opinion upon it. Attention had been very much drawn to the question for more than 12 months, and opinion was gradually ripening upon it. Having spoken something with regard to the duties of Inspectors, and of colliery owners, and of certificated managers, he would now say one word about the men themselves. Whatever inspection there might be, whatever regulations might be laid down, however careful owners and managers might be, they must not rely upon Inspectors, or managers, or employers, but upon the employed. All were engaged in one common business and one common trade; there was a common danger, and no Inspectors, and no care on the part of the colliery owners or managers, would be of any avail unless there was a reciprocal attention on the part of the men. They must not endanger others by breaking rules to gratify themselves, nor must they put their fellow-workmen in jeopardy by their carelessness; for, if they did not take precautions, no power, no care, on the part of anyone else, could prevent accidents. With respect to the working of the Explosives Act, which was passed some four or five years ago, he might say that it had worked incalculable good. It had prevented many accidents, but only because the most stringent possible regulations were laid down by it for the workmen themselves. He only mentioned this for the purpose of showing that mining, being a dangerous operation, every precaution must be taken on the part, not only of mine owners and managers, but of all employed in the working. He agreed with what had been said by the hon. Baronet the Member for North Durham, that the mining operations in many parts of the country were now penetrating a dangerous section. This was particularly the case in the Scottish coal fields, on which the Blantyre explosion occurred not long since. That district was one of those where those engaged in mining operations ought to be especially careful; and it was important that colliery owners and workers should be informed of the danger they were incurring, and he hoped that they would take the necessary precautions for avoiding the recurrence of such a terrible accident as the Blantyre explosion. He entirely agreed with what had been said by the right hon. Member for the University of Edinburgh (Mr. Lyon Playfair), that not only should reliance be placed upon employers and employed, but that a very great gain would be achieved by instructing those persons of an ordinary rank of life, who were forced into positions of great responsibility, in the nature of the particular dangers which not only themselves, but all employed under them, incurred. So far as he was concerned, that suggestion should be acted upon. With the suggestion made by the hon. Member for Derby (Mr. Plimsoll) he also agreed. Whether practical or not he could not say; but it was certainly desirable that men of science should direct their attention to the discovery of some means of obtaining special warning of the pressure of gas in mines. No doubt, also, what had been said by the hon. Member for Newcastle (Mr. J. Cowen), as to atmospheric influence being of great importance in mining operations, was also correct. He would not trouble the House further, but would only ask the hon. Member for Stafford (Mr. Macdonald), after what had passed, whether he proposed to take a division on the subject? He had called the attention of the House to the matter, and had raised a debate which, he was sure, would be satisfactory to him and other hon. Members interested in the subject. He must say that the object and intention, not only of the Government, but of the whole House, was to reduce the loss of life by these particular accidents; and by a division the hon. Member would only throw an implied censure upon those who were engaged in carrying out the working of the existing Acts. The hon. Member might rest assured that, so far as he had anything to do with the Home Office, he would take care that the future regulations that might be made would be in the direction of those at present in existence, and that everything that was possible would be done to insure the safety of life and property amongst those who were engaged in what must always be a most dangerous avocation.

Mr. HUSSEY VIVIAN expressed the satisfaction he felt at the remarks which had fallen from the right hon. Gentleman the Home Secretary, in all of which he entirely agreed. The debate on the whole was the best he had ever listened to on the subject, showing, as it did, the practical knowledge of this important question possessed by many hon. Members of the House. He did not at all wonder at the interest with which the House regarded the matter, because colliery accidents were of a terrible character; and if, by legislation, they could in any way suppress or reduce them to a minimum, the House ought certainly to adopt measures to bring about so desirable an end. For many years he had taken part in every Committee and every Bill in reference to lessening these disasters, and it was certainly very pleasing to find, from the figures given by the right hon. Gentleman the Home Secretary, that the Acts which had been passed had conduced to the saving of so many lives. He believed more might be done by the stringent carrying out of the Mines Regulation Act. If, in future years, it should be found that other arrangements might be made for further reducing the loss of life, by all means let them be adopted. He must confess, however, that he could not agree with the suggestion made by the hon. Gentleman the Member for Derby (Mr. Plimsoll). The hon. Member appeared to think that better chemical tests for gas in mines were required; but he (Mr. Hussey Vivian) would remind the House that the tests for gas were of the most delicate character. Anyone who, like himself, had seen gas tested in mines, could not but feel that this was the case; and, therefore, he did not think it would be of much use to look in that direction for an improvement. He entirely coincided with the remarks which fell from the hon. Member for Newcastle-on-Tyne (Mr. J. Cowen). He (Mr. Hussey Vivian) thought the House ought to turn its attention to insisting on a fund being provided for the support of widows and children of those who were killed by these terrible disasters; and he urged on the Home Secretary the desirability of passing an Act with such a provision in it. He felt sure that employers as well as employed would gladly support any such measure, because it might be depended upon that so long as this most dangerous business was carried on, so long would they, from time to time, be liable to these frightful calamities. The great point, therefore, to be thought of was, if these calamities did occur, that those who were left destitute owing to them should not suffer in consequence of the loss of the breadwinners. Therefore, he impressed upon the right hon. Gentleman the Home Secretary the necessity of adopting such a measure as had been shadowed forth by the hon. Gentleman the Member for Newcastle (Mr. J. Cowen). Without entering into details, he must say that there could be no question that safety-lamps ought to be employed in every mine where gas existed. He had always caused them to be used in mines where he was interested, and he could safely say no practical difficulty had arisen therefrom. The question of blasting was certainly one of extreme difficulty. It was quite clear that the ordinary men ought not to be allowed to blast for themselves, and that special men should be told off to fire all shots. The absolute prohibition of blasting was a question of extreme difficulty; and, before any rules could be laid down in such behalf, a great deal of consideration would have to be given to the whole subject.

MR. MACDONALD desired to say a word or two, and if he were out of Order, he craved the indulgence of the House while he did so. One thing he would say of the hon. Member for Wigan (Mr. Knowles), he differed with him *in toto.* As for the effect of his question that he had put, he would only say further, that so long as the good people of Stafford enabled him to hold a seat in the House, he would continue to put such questions if the need required it. [Mr. ASSHETON CROSS: Hear, hear!] He could not agree with the remarks of the hon. Member for Newcastle (Mr. J. Cowen) and the hon. Member for Glamorganshire (Mr. Hussey Vivian) in favour of a fund being provided by the State to meet the distress caused by such disasters. He preferred such events being met by the providence of the people rather than by the funds of the State. He desired to protect men from loss of life; but if that unfortunately came about, he preferred them to meet the wants of their family by their own foresight and thrift. Considering the regulations which the right hon. Gentleman the Secretary of State for the Home Department had drawn up, and the assurances he had given that the whole subject should not escape his careful consideration, he (Mr. Macdonald) would follow the advice of the right hon. Gentleman, and ask leave to withdraw his Motion.

Amendment and Motion, by leave, *withdrawn.*

Committee *deferred* till *Monday* next.

MEDICAL ACT (1858) AMENDMENT (No. 2) BILL—[BILL 196.]

(*Mr. Arthur Mills, Mr. Childers, Mr. Goldney.*)

SECOND READING. ADJOURNED DEBATE.

Order read, for resuming Adjourned Debate on Question [13th June], "That the Bill be now read a second time."

Question again proposed.

Debate *resumed.*

SIR THOMAS ACLAND said, without wishing to raise a discussion upon the particular Bill, the second reading of which had just been moved, he would remind the House that the Government had brought forward, in "another place," a very important Bill relating to the Medical Profession. That Bill had been very thoroughly discussed, and, without wishing to refer to its details then, he suggested whether, before the Bill now before the House, coming from a private source, was read a second time, the Government should not say if they consented to such a course, before the second reading of their own measure, which was fixed for Monday? He also desired to know if it were intended to refer the whole question to a Select Committee, and so delay most important legislation which had been desired for years?

THE CHANCELLOR OF THE EXCHEQUER could not help thinking that his hon. Friend the Member for Exeter (Mr. A. Mills) would do better by not pressing his Bill to a second reading until the Government measure was brought before the House. He did not wish to express an opinion at that moment upon the Bill of his hon. Friend, because he had not given it any careful consideration; but he was aware that it related to a rather important question with reference to the constitution of the Medical Council. He suggested to his hon. Friend to agree to a further adjournment of the second reading, and he (the Chancellor of the Exchequer) would move that the debate be now adjourned.

Motion made, and Question proposed, "That the Debate be now adjourned."—(*Mr. Chancellor of the Exchequer.*)

Mr. A. MILLS said, he should be quite content to act upon the suggestion of his right hon. Friend the Chancellor of the Exchequer. He only wished to say, in reference to the remarks which had been made by the hon. Baronet the Member for North Devon (Sir Thomas Acland), that his (Mr. Mill's) Bill had been printed for three weeks, and more than 100 Petitions had been presented to the House in its favour from medical men in various parts of the country. It also had very cordial support from the medical journals. Importance was attached to the one element of his Bill in which it differed from the Government measure—namely, the introduction of the direct representation of the Profession upon the Medical Council. As that provision was considered of great value by the Profession, he certainly should not withdraw the Bill; but, on the contrary, should persevere with it to the end. In so acting, he did not wish to show any hostility to the Government measure; nor, as suggested by the hon. Baronet the Member for North Devon, had he any desire to delay legislation on the subject. He (Mr. Mills) was as anxious as anyone that the question should be at once dealt with; but, at the same time, he wished to have a thoroughly good and complete Bill while they were about it. He hoped an arrangement might be come to, whereby the Government would be able to embody in their Bill that one feature by which his differed from theirs—that providing for the direct representation of the Profession on the Medical Council. He did not propose this alteration in consequence of any want of confidence in the Medical Council, but he thought it would be very satisfactory to the Profession and tend to strengthen the Council if such an element were introduced into it as proposed by him. Agreeing with the Chancellor of the Exchequer that the two measures should be taken together, he should put his Bill down for Monday, on which day he understood the Government measure was to be taken. He might mention to the House that the Bill had on its back not only his name, but the names of the hon. Member for Chippenham (Mr. Goldney) and the right hon. Gentleman the Member for Pontefract (Mr. Childers), so that it could not be said to be a Party measure.

Mr. RAIKES pointed out to his hon. Friend the Member for Exeter and his right hon. Friend the Chancellor of the Exchequer, that great practical inconvenience would arise if the Bill of the hon. Member for Exeter were brought forward as antagonistic to the measure of the Government at so late a period of the Session. He reminded the hon. Member for Exeter that it would be competent for him to raise the question which his Bill was intended to bring before the House upon the second reading of the Government Bill. He therefore put it to him, whether that would not be the best time of raising the question as to the direct representation of the Profession on the Medical Council. At any rate, it seemed to him that if the two Bills were to be considered, they should be taken at a period of the Session when the House would be able to give such attention to them as the importance of the subject really demanded. There was no question of a large and widespread feeling of dissatisfaction existing throughout the Medical Profession as to the constitution of the Medical Council. Whether that was just or not, it was not for him to say, but it did exist; and he hoped that some assurance would be given by the Government that a fair opportunity should be afforded for raising the question brought before the House by the Bill of his hon. Friend the Member for Exeter.

Mr. ERRINGTON appealed to the Chancellor of the Exchequer to do what the majority of those interested desired —refer this intricate question to a Select Committee. He considered that the principle of the Bill of the hon. Member for Exeter could hardly be fairly discussed at that period of the Session. The Bill raised a very important consideration, and he (Mr. Errington) believed it would be much more in accordance with the desire of the bulk of the Medical Profession if the matter were referred to a Select Committee, so that another year the whole subject might be completely and properly dealt with.

SIR JOSEPH M'KENNA desired to speak as strongly as he could in favour of the suggestion of his hon. Friend who had just addressed the House. The whole subject was too important, and involved too many interests, for it to be properly discussed at such a period of the Session. The College of Physicians, the College of Surgeons, and many others, felt very strongly on the question; and he did not think that the interests which such a measure would affect should be dealt with without the parties most concerned by such legislation having an opportunity of expressing their views before a Select Committee. Therefore, he hoped the Bills would not be pressed on to a second reading, unless on the understanding that they should be referred to such a Committee. He did not disguise from himself, or from the House, that the effect of such a reference would be to defer the whole subject to another Session. But, surely, it would be infinitely better to delay legislation for a year than allow those Corporations to be under the impression that they had suffered by the Bills being unduly pressed forward at such a period?

THE CHANCELLOR OF THE EXCHEQUER thought it would be better not to proceed with the Bill until the Government measure had been brought before the House. He therefore moved that the debate be adjourned.

Motion *agreed to*.

Debate *further adjourned* till *Monday* next.

House adjourned at a quarter before One o'clock, till Monday next.

HOUSE OF LORDS,

Monday, 24*th June*, 1878.

MINUTES.] — PUBLIC BILLS — *Committee* — *Report*—Poor Law Amendment Act (1876) Amendment (99); Truro Chapter (112).

BALLYMENA AND LARNE RAILWAY BILL.—[H.L.]

THIRD READING.

Bill read 3ª.

On Question, "That the Bill do pass?"

LORD WAVENEY said, he had given Notice of an Amendment to strike out a clause which had been inserted at the instance of the Chairman of Committees (the Earl of Redesdale); but it was not his intention to proceed with it, though the question involved was one of such public importance that he hoped their Lordships would allow him to briefly state the facts in regard to the matter. For some time there had been in general use for the railways throughout Ireland a gauge of 5 feet 3 inches, which was known as one between the broad and narrow gauges of this country. The 5 feet 3 inch gauge, however, had been found impracticable in the case of some mineral and other lines; and, therefore, a railway with a gauge of 3 feet had been sanctioned. That was the gauge for the present railway; but a provision had been introduced that the company must purchase land sufficient to enable them, if necessary, hereafter to make the 3 feet gauge into one of 5 feet 3 inches. Now, he was aware that as a question of public policy, it might be argued that there ought not to be two gauges of railway in a country; but the analogy derived from England did not hold good in the case of Ireland. The broad and narrow gauges in England were competing lines, and they met at points at which further transport was necessary. Such was not the case in Ireland. It was highly probable that all the main railways in that country had been completed, and it was only small branch railways that would in future be required to be constructed; and, from the circumstances of the country, these could not be made with the broad, but must be made with the narrow gauge. The Ballymena and Larne Railway was a short line, on which there would be steep gradients and narrow curves, and the 3 feet gauge would best answer its requirements, and it could never come into competition with the 5 feet 3 inch gauge. Consequently, it was a great hardship that the company should be compelled to purchase a quantity of additional land which they would never want. About 6 acres per mile would suffice for the narrow guage. Yet 10 or 12 acres would have to be obtained if the broad gauge was insisted upon. In addition to this extra cost, there would be expenses for plant, &c. The promoters of the Bill had issued a statement from which he would like to read one or two extracts. They said that—

> "The obligation to purchase the additional land, and provide the additional width of bridges, would tend to discourage the development of narrow gauge railways. That this involved the discouragement of railway enterprize, as the difficulty of obtaining capital for the construction of broad gauge railways rendered impossible any further development of railway accommodation upon that system. That the narrow gauge was well adapted to Ireland, and to parts of the country where the broad gauge could not be employed. It was less costly in construction, and could be safely worked with steeper inclinations and sharper curves than the old broad gauge. That its introduction would, in many cases, assist rather than interfere with the old broad gauge railways, as the narrow gauge railways were mainly designed and adapted for feeders to, and not competitors with, the old broad gauge undertakings. The obligation involved an additional expenditure of variously estimated, but considerable amount, which might impede or prevent the construction of railways of great public utility, and such expenditure must be at first, and for many years, wholly unproductive. It would be, to a great extent, entirely unproductive, as the narrow gauge could be laid and worked in situations where the broad gauge would be impracticable. In order to adapt to the broad gauge lines laid out upon the narrow, a complete re-construction of the line and alteration of curves and gradients would be frequently necessary."

These were reasons which he thought ought to have weight with their Lordships; but, he repeated, on the present occasion he should not press the Amendment of which he had given Notice.

THE LORD CHANCELLOR: I am glad my noble Friend has called your Lordships' attention to this question; and, although it may not be a subject for any immediate decision of the House, yet I am anxious to represent to your Lordships the very great evils which may arise if it is supposed that the clause which is now contained in this Private Bill is to be a continuing clause as to the fixed opinion of Parliament as to the construction of railways in Ireland. The question lies in a narrow compass. The gauge in Ireland is 5 feet 3 inches; but it has been ascertained that there are many places where railways are required for the conveyance of goods and minerals in which the 3 feet gauge is best adapted, and can be made at a much cheaper rate. What makes the narrow gauge railways so much more economical is that they require a smaller quantity of land, and they can be made with gradients and curves, with which it would be impossible to construct the broad gauge lines. My noble Friend the Chairman of Committees (the Earl of Redesdale) has thought it right to insert a clause to compel this railway to take as much land as may be required for a 5 feet 3 inch gauge, his object being to guard against its hereafter turning out that the 3 feet gauge is not successful. Now, if the construction of the 5 feet 3 inch gauge would insure an exchange of traffic, I would admit there would be a great deal to say for the proposition; but, in point of fact, this clause will be perfectly useless, except for the purpose of creating expense. It is not the breadth of the gauge, but it is the gradients and the curves which form the expense, and you are making the promoters of these small railways take double the land they require, and you make them take land which will be perfectly useless to them; because, in the narrow gauge lines, the gradients and curves would be perfectly useless for the broader gauge. Such a clause as this imposes an almost ruinous weight upon the promoters of small railways, and I hope it will not go forth in Ireland that when undertakings of this kind are promoted, they are to be weighted by Parliament with such a vast additional cost which can be of no use whatever to them.

THE DUKE OF MARLBOROUGH felt bound to say that this was a question of very great importance to Ireland. He had the pleasure of opening this very line last year, and had an opportunity of seeing the character of its construction, and he thought that his noble Friend the Chairman of Committees had, in this instance, carried his prudence a little too far. He could quite understand that he was extremely unwilling that the contest between the gauges—known in England as "the battle of the gauges"—should be repeated in Ireland; but he could assure him that was not likely to be the case—there was not the slightest possibility of any such event occurring. The two gauges in Ireland could never become competing lines. As had been stated by the noble Lord (Lord Waveney), the railway system of Ireland was pretty nearly complete, and the only other lines which were now being constructed were for the purpose of opening out mineral and agricultural districts which would not otherwise have the means of transport; and these lines were constructed upon a different principle to those which existed, the curves and gradients being different, and the rolling stock employed could never be worked upon a line constructed upon the ordinary system. It was qnite impossible, therefore, to suppose that these railways could ever raise such a conflict as that which, no doubt, existed for some time to the prejudice of the railway system in England. What his noble and learned Friend (the Lord Chancellor) had stated was perfectly accurate. The clause which was now inserted in the Bill merely operated as a fine upon the construction of these railways, because they had to take land which they would never require, and build bridges which would never be duly used. The additional expense thus thrown upon the promoters must act in a most disadvantageous manner. He was quite sure his noble Friend the Chairman of Committees was acting for what he believed to be the best interests of the railway system of Ireland; but he would point out to him and to their Lordships that this was not the best way to promote the railway interest of Ireland.

THE EARL OF REDESDALE said, the gauges to be used by railways were settled by a general Act, and unless Parliament chose to alter the existing law, he should feel it his duty to take care that the introduction of a double gauge was carefully and guardedly watched. In inserting in the Bill the provision to which the noble Lord (Lord Waveney) referred, he simply desired to protect the public interests, and to follow out the existing law on the subject. In his opinion, it would be a misfortune to Ireland if their Lordships were to encourage a narrow gauge system; but, if they intended to do so, they ought to pass a general Statute for the purpose, and not allow the thing to be done by the promoters of local mineral lines, or by the side-wind of a Private Bill. If their Lordships did not agree to such a clause as that which was now objected to, they would have the 3-feet gauge spreading throughout all Ireland; and the expense and trouble of converting such a gauge, at some future time, into a wider one, would be found to be very great. It was for Parliament, however, to say what ought to be done in the matter, whether there ought to be two gauges or not; and with Parliament alone should rest the responsibility of determining the question.

THE LORD CHANCELLOR said, the noble Earl who had just spoken need not have assured their Lordships that he had acted solely under what he conceived to be for the best interests of the public. But he must remind his noble Friend that this was not now a question as to whether there ought or ought not to be two gauges in Ireland. Parliament had already settled the point. There had been some half-dozen of the 3-feet lines sanctioned for Ireland; and in all probability there would in a short time be many more. His noble Friend, however, was not responsible for that; the responsibility lay with the Legislature. Parliament had declared that there were certain places in regard to which a case had been made out for a narrow gauge line; but what had been the effect of the precautionary clauses introduced into the Bills for that gauge? It had been provided that the promoters of the measures referred to should build bridges of sufficient width for the 5 feet 3 inch gauge; but the provision said nothing about the height of the bridges, and the result was that those hitherto built, whilst perfectly suitable, perhaps, in connection with local requirements, were perfectly unsuitable for the broader gauge, owing to their limited height.

THE EARL OF REDESDALE said, that as the noble and learned Lord on the Woolsack had spoken twice, the House might allow him to make another observation. A uniform gauge had been prescribed by general Act of Parliament; while the 3 feet gauge was sanctioned only in particular instances, and by Private Bills. He must repeat his desire that, whatever might be done in this matter, would be done upon the responsibility of Government and of Parliament.

THE EARL OF KIMBERLEY said, that although, at first sight, this matter might appear to be a comparatively small one, it was, in reality, a question of great importance in Ireland. It seemed to him that small gauge railways were peculiarly suited to many portions of that country; and that it was both absurd and contradictory, after expressly sanctioning them, to compel the purchase of a quantity of unnecessary land, because, perhaps, some other day it might be thought that a 5 feet 3 inch gauge would be better. But he agreed with his noble Friend (the Earl of Redesdale) that, if there was to be a double gauge in Ireland, its introduction ought to take the form of a general Statute; and that Parliament, on its own responsibility, should come to some distinct conclusion on the subject.

Bill *passed*, and sent to the Commons.

POOR LAW AMENDMENT ACT (1876) AMENDMENT BILL—(No. 99.)

(*The Earl of Shaftesbury.*)

COMMITTEE.

Order of the Day for the House to be put into Committee, read.

THE EARL OF SHAFTESBURY, in moving that the House go into Committee on the Bill, said, the object of the measure was to prevent the provisions of the Act of 1876 from applying to money to which a pauper, or a pauper lunatic, might be entitled as member of a friendly or benefit society.

Moved, "That the House do now resolve itself into Committee."—(*The Earl of Shaftesbury.*)

EARL FORTESCUE said, that before the House went into Committee on the Bill, he must ask the indulgence of their Lordships to make a few remarks on the principle which was involved in the measure. He thought it might fairly be said that upon the occasion of its second reading, the Bill had been somewhat imperfectly discussed; but that was not his only reason for troubling the House on the present occasion. His noble Friend the Chairman of Committees (the Earl of Redesdale), whose opinion justly had weight on any question in their Lordships' House, could speak with particular authority on this subject, on account of his long practical experience in the administration of the Poor Laws. But if the House now went into Committee, they would be deprived of the advantage of hearing the noble Earl's opinion on this important subject. It was with much regret that he found himself differing in regard to the Bill from his noble Friend (the Earl of Shaftesbury), whom he had for many years admiringly followed—sometimes in a majority and sometimes in a minority—in that course of sanitary reform, and especially of factory legislation, with which the noble Earl was now, and would always be, honourably associated. On this particular question, however, he could not accept the authority of his noble Friend as conclusive. He apprehended that, in the long course of the noble Earl's active and beneficent life, he had had comparatively little to do with the Poor Laws. It had been his own fortune, however, for some 35 years to have been engaged in the administration of those laws. For something like a quarter of a century he had occupied the chair of a Board of Guardians, and for four or five years he had acted as Secretary to a Poor Law Board. On the matter now under consideration, therefore, he must venture to think for himself; and to be at variance with his noble Friend who had charge of the present measure in their Lordships' House. It was rather disappointing that more than 40 years after the passing of the Act of 1834, it should be again necessary to revert to first principles. But it must be remembered that the Poor Law was designed to deal with cases of destitution alone; that it did not undertake to supply the place of Christian charity in the relief of distress; that it did not profess to give bounties; and that it did not substitute itself for thrift, providence, and prudence on the part of the people. The most heroic and valuable services rendered to the public by any man—whether in the largest sense of public services, as to the State, or whether in their more limited sense, as to a particular town or parish—gave that man no claim upon the poor rates; and, on the other hand, no folly or extravagance on the part of a man, no immorality or offence, when once that offence had been expiated by imprisonment, could deprive him of his claim for relief from the poor rates, if he were really destitute. Those poor rates, be it remembered, were levied, not as a great statesman the other day would have led his hearers to infer—from the general income of the country, but from a particular kind of property alone—namely, real property, which amounted only to something like one-fifth of that general income. He was almost ashamed to trouble their Lordships with these remarks on first principles; but too many of the public appeared, to a great extent, to have ignored or forgotten them. He was surprised the other day at the arguments which were used on this question by a deputation from some friendly societies to himself; and he was still more surprised at finding the same arguments gravely put in print and circulated in their favour. He would read one of those arguments.

> "We think, that in any circumstances, where a member has a wife or family dependent upon him, the sick pay should be devoted to their maintenance."

These words were not restricted to the man's own wife and children. Any relative in a family—and a man might well have 100 such—might be included under them; and, in all probability, if a demand were to be made upon the public purse, the member would find some relative or other to whom he would cheerfully resign his sick pay—calling himself all the time independent; but, meanwhile, being supported by the rates. The deputation to which he alluded went on to argue that, if that person—

> "Instead of being careful and provident, had fallen sick and been compelled to go into the workhouse, or even if he had committed some offence against the laws of the land, and had been sent to the House of Correction, in either case he would have been kept at the public expense."

Of course he would; but members of friendly societies were not the only persons in the country who were neither paupers nor criminals. By providence and self-denial a man might put by, out of his earnings, a provision against future want; and he could not understand why it should be proposed to select solely the membership of friendly societies for protection, while ignoring what, in some instances, might be the much wiser disposal of a man's money—the placing of it in the Savings' Bank, the investing of it in the purchase of a house, or the employment of it in business. It seemed to him that, under the Bill now before their Lordships, an artificial bounty was given to one particular form of thrift and providence contrary to all sound principle. He remembered that when he was at the Poor Law Board a special clause on this subject was brought in by one of the most humane and kind-hearted men he had ever known—he referred to the late Mr. Charles Buller. That Gentleman introduced a clause providing—

> "That every person who shall apply for relief, having at the time of such application in his possession or under his control money or other property which, on inquiry, it is found he did not disclose at the time of his application, shall be treated as an idle and disorderly person."

It was the presumption of law, that a man had applied and exhausted his own means and property for his support and maintenance before he came upon the funds of others for that purpose. In the Session which followed, the adoption of that clause another clause was passed providing that—

> "When any pauper shall have belonging to him any money, or security for money, the guardians of the union or parish within which such pauper is chargeable may take and appropriate so much of such money, or produce of such security, as will re-imburse the said guardians for the relief given to that pauper during the preceding twelve months, thus dealing, not only with money belonging to the pauper when he applied, but also with any he might acquire after applying, for relief."

It might be said that, these being his views on the subject, he ought, in logical consistency, to have given Notice of a Motion for the rejection of the measure, instead of merely desiring to have it amended in the way he had suggested. But, in truth, the calamity of lunacy in any rank or position of life, and more especially in the case of the breadwinner, was such, that he did not ask the House to follow out the general principle of the law to its logical consequences; but simply to restrict the operation of the Bill to cases of pauper lunatics, whose wives and children had long been dealt with on this principle by the Lunacy Act of 1853, and to limit the application of the sick pay of any such pauper, from his club, to his wife and children—instead of leaving it optional to him to assign it to any relative. He earnestly hoped that their Lordships would restrict the operation of the measure in the direction, and to the extent he had indicated; for in its present shape the Bill was of a very sweeping character, inasmuch as it comprehended the case of every pauper who belonged to any club or friendly society, however unsound or however irregular, and it applied to any relatives dependent upon him, however distant the relationship.

THE EARL OF REDESDALE said, he regarded the Bill as contrary to every principle on which Poor Law relief had hitherto been administered in this country; and he trusted that their Lordships would give heed to the remarks which had just been made by his noble Friend (Earl Fortescue). A great number of those who were ratepayers were persons of very small means; and, to throw an additional burden upon them simply in order that friendly societies might be protected, was perfectly monstrous. He did not think there was any good ground whatever for making the funds in those societies an exception to other accumulations of earnings.

THE DUKE OF RICHMOND AND GORDON said, he differed entirely from what had fallen from his two noble Friends who had just addressed the House. The noble Earl (Earl Fortescue) who commenced the discussion, entered into a somewhat lengthy history of the early state of the Poor Law, and instanced some provisions which were introduced into the Statute on the subject by the late Mr. Charles Buller. In the remarks of the noble Earl in praise of that Gentleman he entirely concurred; but, at the same time, it seemed to him that the observations of his noble Friend did not really touch the point of the case. The question before their Lordships was—Did they believe that the friendly societies throughout the country had been a benefit to the labouring classes or not? His impression was, that the friendly societies throughout the country had been of very great benefit and advantage. It was the best of the labouring classes who contributed to them, and any legislation which would tend to injuriously affect these societies would be a very great evil, and to throw cold water upon the societies would be to injure the labouring classes themselves. With regard to persons who were not lunatics, the noble Earl (Earl Fortescue), with his experience of the working of the Poor Law, must know that if a member of a friendly society who was not a lunatic applied for relief, there was the workhouse test, and if the man were really a pauper, he would get an order to go into the house. The noble Earl had stated that he would confine the persons who were to receive relief under the operation of the friendly societies to the wife, and children under 16 years of age; but he (the Duke of Richmond and Gordon) could not understand why he should confine it to those particular persons, and no others. He could well understand a good and thrifty working man might have contributed to these societies, having in view the time when he might be able to be of some use to his aged father and mother who had become incapacitated from work. The noble Earl had referred to the non-registered societies. Now, there was an enormous number of these societies, especially in the manufacturing districts, which were unregistered; yet they were as solid and as sound as those societies which were registered. These societies numbered some hundreds of thousands of members, and they were doing a great deal of good in the immediate districts in which they were situated, yet they could not be registered under the Act in consequence of the expenses which would be incurred. The present Registrar of Friendly Societies, who was a Government officer, would, he had reason to know, very much deprecate the idea of confining this question merely to the registered societies. Parliament had not thought fit to compel all societies to be registered, and therefore he objected to the insertion, by a side-wind, of words into this Bill, which would practically put compulsion upon the non-registered societies to become registered, although Parliament had not hitherto thought fit to make any such enactment.

THE EARL OF KIMBERLEY thought the noble Duke was not quite rightly representing those who had opposed this Bill, in saying that it involved the question of whether they approved of friendly societies or not. He did not think there was any Member of the House who did not in the highest degree approve of those societies, which were formed upon a sound basis; and the question was, whether they ought to promote these friendly societies at the expense of the poor rates? There might be reasons why they should do so; but do not let them disguise from themselves the fact, that wherever a man invested his savings in any other way, they were liable to be taken possession of by the Boards of Guardians in case he had to apply for relief; while, if his savings were invested in these friendly societies, they were to be exempt from liability. The provision in this Bill would repeal the Enactment of 1876, and it was a pity that in 1876 the noble Duke did not object to what was then being done. His opinion was, that the true principle upon which they should act should be, where a person had saved money, that money should be applied to his maintenance if he required relief. He knew the clause in the Act of 1876 had greatly alarmed some of the friendly societies in the country, and if it were thought it had worked too harshly, let them agree to the Amendment which would restrict it to the wife and children. It was carrying the principle too far to say the money should go to other relations.

EARL GREY considered a very important principle was involved in the Bill. Formerly, great abuses existed in regard to the administration of the Poor Law, and the great rule laid down in the Act of 1834, and which was the principle to which Parliament had since adhered, was that destitution, and destitution alone, should entitle to relief. That great principle had worked a reform in the administration of the Poor Law which could hardly be estimated; but it seemed to him they were now going to make a step backward, and that they were about to allow these men connected with friendly societies to put their hands into the pockets of the ratepayers when they were not, strictly speaking, destitute. He maintained that was a principle involving so much danger that the House ought not to sanction it, because they did this in order to give exceptional advantages to one particular kind of investment on the part of working men. Upon what grounds could they say that because a man had invested his savings in a friendly society they were not to be touched in case he became destitute, but the cost was to come out of the pockets of the ratepayers? He was at a loss to discover any ground or principle upon which they could lay down one rule in regard to a Government annuity, and another with regard to a payment to a friendly society. Parliament ought certainly not to go out of its way to take a step directly at variance with the principle hitherto observed in regard to the Poor Law, in order to give an artificial and special stimulus to one particular mode which working men might adopt to provide for sickness. If his noble Friend had moved the rejection of the Bill he should have supported him; but as he had not done so, he should certainly vote for the Amendment which he intended to move in Committee.

Motion *agreed to;* House in Committee accordingly.

Clause 1 (The provisions of s. 23 of the Divided Parishes and Poor Law Amendment Act, 1876, not to apply to moneys to which a pauper or pauper lunatic may be entitled as a member of friendly or benefit society).

EARL FORTESCUE moved, in page 1, line 7, to leave out ("pauper or.") It had not occurred to him, in the observations he had already addressed to their Lordships, to exonerate himself from the charge of being one of those who were either indifferent or hostile to friendly societies. He had been President, for a great number of years, of a sound friendly society, one of the largest in the West of England, and he had bestowed much time and attention upon it. It was quite a mistake to suppose that, before the introduction of the Poor Law Amendment Act of 1876, there were no means of getting at the sick pay of paupers, though the process was rather less easy.

THE EARL OF REDESDALE: The noble Earl can only speak to the Amendment which he has proposed. He cannot go into the general question again.

EARL FORTESCUE said, he would content himself with moving the Amendment that the words "pauper or" be omitted from the clause.

Amendment *moved,* to leave out ("pauper or.")—(*The Earl Fortescue.*)

THE EARL OF SHAFTESBURY strongly objected to the omission of these words, and he thought the noble Earl ought equally to object to their being struck out; because the retention of the words "pauper lunatic" violated quite as much the principle to which the noble Earl adhered. All who were acquainted with the tremendous infliction which was caused to the poorer classes by lunacy, would, he thought, be willing to modify the application of the principles of political economy in order to afford some relief in a case where Providence had inflicted such a calamity. And, as regarded general disease, they must recollect that it was not always due to the conduct of the great mass of the working classes. It was frequently brought about by the dwellings they were compelled to inhabit in the great manufacturing towns, and in the Metropolis. They had no choice but to dwell near their work; and he had seen, time after time, men in the prime of life come up to London, and be compelled to take their residences in some of the most infectious and detestable of places on earth; and he had known these men subsequently carried off by fever in four or five months. Typhoid fever, cholera, and other diseases, were rife in such places. Their Lordships should bear in mind that the section in question was no part of the Bill of 1876 introduced by Her Majesty's Government—it was moved in the other House by the hon. Member for Ashton-under-Lyne (Mr. Mellor), in a very thin House, one Wednesday, and it was carried; but the effect of it had been so pernicious upon the people themselves, that Mr. Mellor was now the man who came forward and moved the repeal of the section in this Bill. The societies said they were doing all they could to secure thrift and economy amongst the working classes; and they declared that the enactment of the Bill of 1876 had been a great injury to them during the last two years, and if Parliament threw any further impediments in the way of these societies they would altogether retard the progress of them. The noble Earl (Earl Grey) had said that this Bill would allow the members of friendly societies to put their hands into the pockets of the ratepayers; but, as a matter of economy, it should be remembered that the friendly societies stated that they were saving, by their contribution to the poor rates, no less than £2,000,000 a-year. Therefore, the poor rates would be much more burdensome were it not for the existence of these friendly societies. In more than one instance the Guardians had taken the money; and the wife and children, by being taken into the workhouse, had cost ten times as much as they would otherwise have done. He contended that thrift and economy would be best promoted by passing this Bill, and that the discretion of the Guardians should not be taken away from them as to deciding as to cases in which the law might be strictly administered or not.

On Question, That the words proposed to be left out stand part of the Clause?—Their Lordships *divided*:—Contents 45; Not Contents 44: Majority 1.

CONTENTS.

Cairns, L. (*L. Chancellor.*)

Richmond, D.

Abercorn, M. (*D. Abercorn.*)
Hertford, M.

Bantry, E.
Bradford, E.
Clonmel, E.
Ellesmere, E.
Lindsey, E.
Mount Edgecumbe, E.
Ravensworth, E.
Romney, E.
Shaftesbury, E. [*Teller.*]
Wharncliffe, E.
Wilton, E.

Cranbrook, V.
Hardinge, V.
Hawarden, V. [*Teller.*]
Hutchinson, V. (*E. Donoughmore.*)

Bagot, L.
Bloomfield, L.
Chelmsford, L.
Clanbrassill, L. (*E. Roden.*)
Clements, L. (*E. Leitrim.*)
Colchester, L.
Crofton, L.
de Ros, L.
Digby, L.
Dunsany, L.
Elphinstone, L.
Forbes, L.
Gage, L. (*V. Gage.*)
Harlech, L.
Inchiquin, L.
Kenlis, L. (*M. Headfort.*)
Manners, L.
Minster, L. (*M. Conyngham.*)
Northwick, L.
Norton, L.
Penrhyn, L.
Robartes, L.
Ross, L. (*E. Glasgow.*)
Saltersford, L. (*E. Courtown.*)
Skelmersdale, L.
Tollemache, L.

NOT-CONTENTS.

Bedford, D.
Devonshire, D.
Grafton, D.
Somerset, D.

Amherst, E.
Camperdown, E.
Dartrey, E.
De La Warr, E.
Devon, E.
Fitzwilliam, E.
Fortescue, E. [*Teller.*]
Granville, E.
Grey, E.
Kimberley, E.
Morley, E.
Nelson, E.
Powis, E.
Redesdale, E.
Stanhope, E.
Stradbroke, E.
Sydney, E.

Cardwell, V.
Halifax, V.
Sidmouth, V.

Aberdare, L.
Bolton, L.
Boyle, L. (*E. Cork and Orrery.*)
Carlingford, L.
Carysfort, L. (*E. Carysfort.*)
Clinton, L.
Cottesloe, L.
Crewe, L.
De Mauley, L.
Foley, L.
Gwydir, L.
Hampton, L.
Hanmer, L.
Heytesbury, L.
Monck, L. (*V. Monck.*)
Mostyn, L.
Seaton, L.
Strafford, L. (*V. Enfield.*) [*Teller.*]
Truro, L.
Waveney, L.

Resolved in the *Negative.*

EARL FORTESCUE next proposed, in page 1, line 8, to leave out the words "other relative," and insert "child or children under 16 years of age."

THE EARL OF SHAFTESBURY said, that the objections he had already urged would also apply to this Amendment, which he must therefore ask their Lordships to reject.

Amendment *negatived.*

EARL FORTESCUE then moved, in line 9, after ("any"), to insert ("registered").

On Question? *Resolved* in the *Negative.*

EARL FORTESCUE proposed, in line 15, to leave out from ("relative") to the end of the clause. He could not understand what could be the object of giving 31 days' notice that the relief given to a pauper having no relative was to be regarded as a loan. To say that such a person was a pauper, seemed to him to establish all the facts that were necessary. If there were any question as to what disease he was suffering from to incapacitate him from work, a certificate of the medical officer of the union seemed to him quite sufficient to establish that. This part of the clause would be inconvenient and most unfair in its operation. If a man had no very near relatives dependent upon him, his money ought, as soon as possible, to go to the relief of the ratepayers.

Amendment *moved*, to leave out from ("relative") to the end of the clause.—(*The Earl Fortescue.*)

THE EARL OF SHAFTESBURY said, the Local Government Board insisted upon the principle laid down. The object was that the Guardians, or their relieving officer, should give notice to the secretary or trustees of the society within 31 days, and no claim could otherwise be made upon them for the expenses incurred in the man's relief.

EARL FORTESCUE asked why such notice should be necessary? An official declaration that such a person was destitute and sought relief ought to be sufficient.

On Question? *Resolved* in the *Negative.*

Bill *reported*, without Amendment, and to be read 3^a on *Thursday* next.

THE EARL OF MORLEY gave Notice, that on the Order for the third reading of the Bill, he should move that it be read a third time that day three months.

TRURO CHAPTER BILL [H.L.]—(No. 112.)

(*The Lord Bishop of Exeter.*)

COMMITTEE.

House in Committee (according to Order).

Clauses 1 to 9, inclusive, *agreed to.*

Clause 10 (Saving the Archdeaconry of Cornwall).

THE EARL OF POWIS moved to omit the clause. He remarked, that when the Bill was read a second time it had only just been printed, so that no time was given to consider it in its various bearings. The 10th clause provided that on the first vacancy arising in the Archdeaconry of Cornwall after the passing of this Act, the amount payable to the Archdeacon, who now got £300 a-year out of the income of the Canonry of Exeter, which by this Act was to be transferred to the Cathedral Church of Truro, should be reduced to an amount not exceeding £200 a-year. The right rev. Prelate (the Bishop of Exeter), whose name was on the back of the Bill, and who was not then present, spoke, in introducing the measure, as if £200 a-year were quite sufficient endowment for the Archdeacon; but when their Lordships considered the immense size of the Archdeaconry of Cornwall, extending in one direction some 60 or 70 miles along one of the largest counties in the Kingdom, he thought they would be of opinion that the amount proposed was inadequate. Such was certainly the opinion of the Ecclesiastical Commissioners, who, in 1836, recommended that all Archdeaconries of less than £200 a-year should be made up to £200 a-year out of the common fund available for such purposes; and they stated distinctly that they did not consider that that was an adequate endowment; but that they did not wish to trespass more largely on funds available for augmentation of small livings. The clause proposed that the saving of one-third of the income which was now paid to the Archdeacon of Cornwall, should be transferred to the Dean and Chapter of Truro, if then founded, or otherwise to the Truro Chapter Endowment Fund. The present Archdeacon of Cornwall was exactly in the same position as other Archdeacons who were endowed by a share of a Canonry; and the difference between £300 and £200 would be severely felt. For this reason, he begged to move the omission of the clause from the Bill.

Moved, "That the clause be omitted."—(*The Earl of Powis.*)

THE EARL OF DEVON pointed out that, by the appointment which was about to take place of an Archdeacon of Bodmin, the duties of the existing Archdeaconry of Cornwall would be materially lightened. He believed that in many Archdeaconries in England the endowment did not exceed £200 per annum.

THE LORD CHANCELLOR remarked that if the amount payable to the Archdeaconry of Cornwall constituted a smaller remuneration than ordinary, they must bear in mind that the whole of the arrangements proposed by this Bill were exceptional. The difference between the £300 and the £200 would be given to Truro; and he thought that, under all the circumstances, the arrangement was the best that could be proposed.

Amendment *negatived.*

Bill *reported,* without Amendment, and to be read 3ª *To-morrow.*

House adjourned at a quarter before
Seven o'clock, till To-morrow,
half past Ten o'clock.

HOUSE OF COMMONS,

Monday, 24*th June,* 1878.

MINUTES.]—NEW WRIT ISSUED—*For* Middlesborough, *v.* Henry William Ferdinand Bolckow, esquire, deceased.

SELECT COMMITTEE — Gold and Silver Hall Marking, Sir Joseph M'Kenna *added.*

PUBLIC BILLS — *Ordered* — *First Reading* — Elders' Widows' Fund* [226]; Drainage and Improvement of Land (Ireland) [227].

Second Reading—Contagious Diseases (Animals) [204], *debate adjourned;* Supreme Court of Judicature (Ireland) Act (1877) Amendment* [223]; County of Hertford and Liberty of Saint Alban Act (1874) Amendment* [203]; Idiots, &c. (Ireland) [149].

Committee—Report—Public Works Loans (Ireland) Act (1877) Amendment [219]; Innkeepers (*re-comm.*)* [211].

Third Reading—Public Health (Ireland) [199], and *passed.*

Withdrawn—Hypothec (Scotland)* [29]; Hypothec (Scotland) (No. 3)* [101].

QUESTIONS.

NAVY—H.M.S. "EURYDICE."

QUESTIONS.

MR. BAILLIE COCHRANE asked the First Lord of the Admiralty, Whether, as it appears that the "Eurydice" cannot be raised, it would not be better to place a buoy over the place where she lies, being some memorial of the gallant men who lost their lives while in the public service?

MR. W. H. SMITH: Sir, It is not considered to be impossible to raise the ship, and further attempts will be made to do so at the next spring tides, if the weather permits. Under these circumstances, it would be premature to consider the suggestion of my hon. Friend. I may say, however, that to place a buoy over the wreck permanently would be a serious obstruction to navigation.

Subsequently—

CAPTAIN PIM asked the First Lord of the Admiralty, Whether, as it appears that the "Eurydice" cannot be raised by the means at the disposal of the Admiralty, he would invite tenders from parties willing to contract with the Admiralty to raise and deliver the "Eurydice" afloat in Portsmouth harbour?

MR. W. H. SMITH, in reply, said, that as it was irregular to ask hypothetical Questions, so it was most inconvenient to answer them. The hon. and gallant Member, therefore, had better wait until he could put a direct Question. He might, however, say that he had no present intention of asking for tenders for this purpose, and although many suggestions had been made for raising the *Eurydice,* none had been based upon experience.

MR. D. JENKINS asked the First Lord of the Admiralty, When it is intended to hold a naval inquiry into the loss of Her Majesty's ship "Eurydice;" how it is proposed that the Court should be constituted; and, whether he has considered if it would be advantageous to the public service that one or two experts, other than officers in Her Majesty's Navy, should form part of that Court; and whether he can inform the House what weight of ballast was put on board when this ship was last commissioned and of what it consisted; if the water in tanks or any portion of the other stores was relied upon to insure her stability; and, if so, what was the nature and weight of such stores?

MR. W. H. SMITH: Sir, a court martial in accordance with the Naval Discipline Act has been ordered to assemble to inquire into the loss of the *Eurydice,* and the meeting of the court is only deferred in expectation of obtaining some valuable evidence of the condition of the ship before she sunk. The law does not admit of experts being placed on the court, but the court has power to call before it any person whom in their judgment they think it desirable to give evidence. The weight of ballast was 30 tons of iron pig ballast, the same as she carried on all her former commissions. The last part of the second Question will be a subject of inquiry by the Court.

THE INDIAN TROOPS IN MALTA.

QUESTION.

MR. ASHBURY asked Mr. Chancellor of the Exchequer, Whether, in the event of the Berlin Congress resulting in peace, Her Majesty's Government will consider the advisability of asking Parliament for powers to bring to England the Indian Troops now in Malta, in order to give Her Majesty the Queen and the people an opportunity of seeing representatives of our Indian Army; and, furthermore, whether, if for any reason it is not thought desirable to bring over the entire body, representative detachments from each regiment might be selected for inspection in England?

THE CHANCELLOR OF THE EXCHEQUER: Sir, I can only say at present that Her Majesty's Government have no measure of the kind in contemplation.

IRELAND — CONVICT DISTURBANCE AT HAULBOWLINE.—QUESTION.

MR. A. MOORE asked the Chief Secretary for Ireland, Whether an emeute took place lately at Spike Island Convict Prison; what the cause of that disturbance was; and, what measures have been taken by Government in the matter?

MR. J. LOWTHER: Sir, a slight disturbance, in which five convicts only were concerned, occurred at the dockyard works at Haulbowline on the 7th instant. I am not aware what the motive was that caused the disturbance; but, fortunately, it was easily quelled without the assistance of either the military or police becoming necessary. No warder was injured. An inquiry into the circumstances has been held by the Prisons Board, whose Report I expect shortly to receive.

THE MAGISTRACY (IRELAND) — THE OFFICER COMMANDING AT THE CURRAGH.—QUESTION.

MR. O'SHAUGHNESSY asked the Chief Secretary for Ireland, Whether the General in command of the Curragh district has been recently appointed to the Commission of the Peace for the county of Kildare; on whose recommendation this appointment, if made, has taken place; whether there is any precedent for appointing a military officer in times of peace to a civil magistracy in the district where he commands; whether there are not five magistrates (exclusive of the military officer referred to) available for duty within a radius of four miles around the Curragh; and, whether steps will be taken to prevent the military magistrate from acting judicially in proceedings which he, acting in his military capacity, may have directed to be instituted?

MR. J. LOWTHER: Yes, Sir, it is true that General Seymour, the officer commanding the troops at the Curragh, has been appointed a magistrate for the county Kildare. The appointment was made upon the recommendation of Lord Drogheda, the lieutenant of the county. As to a precedent, I understand that the Admiral commanding at Queenstown discharges similar duties. The hon. Gentleman is, I have no doubt, correct in his statement respecting the number of other magistrates in the neighbourhood of the Curragh; but with regard to the suggestion he makes at the end of his Question, I do not think there would be any danger of the gallant officer concerned acting as a magistrate in any case in which he was an interested party.

PEACE PRESERVATION (IRELAND) ACT (1875)—SEARCH FOR ARMS.

QUESTION.

Mr. BIGGAR asked the Chief Secretary for Ireland, If it is a fact that during last week the house of Francis Worthy, of Castlerea, was entered by the police at half-past four o'clock in the morning on a search for arms; if he will lay upon the Table of the House a Copy of the Warrant under which this domiciliary visit was made; if the visit was made under the 3rd section of "The Peace Preservation Act, 1875," authorising such visits "between sunrise and sunset;" and, whether, having regard to the manifest intention of the Legislature that such visit should not be made during sleeping hours, he will issue instructions against such visits at hours when, although the sun has risen, the occupants of the house are certain to be in bed?

Mr. J. LOWTHER: Yes, Sir, it is quite correct that the House referred to was entered by the police, who acted under a warrant issued by the Lords Justices of Ireland under the provisions of the Peace Preservation (Ireland) Act, 1875. The warrant bears date June 12, 1878, and was executed after sunrise on June 14. As to a copy of the warrant being laid upon the Table, if the hon. Member will give Notice, I will consider whether this can be done. With regard to the last paragraph of the hon. Member's Question, I do not think it would be advisable to issue instructions to the effect suggested by him.

Mr. BIGGAR gave Notice of his intention to move a Resolution on the subject.

SELECT COMMITTEE ON CATTLE PLAGUE, 1877—CATTLE FROM IRELAND.—QUESTION.

Mr. ARTHUR PEEL asked the Vice President of the Committee of Council on Education, Whether the Government have taken or intend to take any steps to carry out the recommendation of the Select Committee on Cattle Plague and Importation of Live Stock in their Report of last year, viz.:—

> "That a searching inquiry should be made into the subject of the transit of cattle from Ireland to the ports of Great Britain; into the provisions made for their reception at the ports of departure and of arrival, and into their treatment during the voyage?"

Lord GEORGE HAMILTON: Sir, the inquiry has been made, and a Report upon it is now being prepared in the English and Irish Veterinary Departments, which will be laid upon the Table of the House as soon as possible.

CHRIST'S HOSPITAL—COMMISSION OF INQUIRY.—QUESTION.

Mr. W. E. FORSTER asked the Secretary of State for the Home Department, If he can inform the House whether the Governors of Christ's Hospital have taken any steps to carry out the recommendations of the Commission appointed last year?

Mr. ASSHETON CROSS: Sir, I have put myself into communication with the Governors on the subject, and I will read the answer—

> "1. The Governors finding positions and duties of the head master and warden defined with such perfect clearness, and those gentlemen themselves agreed as to the subordination of the latter to the former, deemed it unnecessary to alter those relations, which work well; and the office of steward at the Hertford branch being now vacant, the Governors have decided to subordinate that officer to the head master there, so far as regards discipline, &c. 2. Head master has arranged for making the 'Grecians'—so far as compatible with studies, &c.—a more available force in the oversight and discipline of the wards. 3. Visitation of wards in the evening by masters—formerly voluntary—is now undertaken as a recognized duty. 4. Character of corporal punishment has been more clearly defined and regulated by the head master; and the pre-existing rule for recording same has been more distinctly impressed on masters generally. 5. 'Detention school,' as a means of lessening corporal punishments, is now supervised by masters instead of beadles. 6. As to removal of London school and erection of additional houses for residence of masters, eight masters, the warden, the matron, the medical and other officers are resident already; but Governors have felt, pending Charity Commissioners' scheme, and under the restraints of the Endowed Schools Act—apart from financial and other considerations—it was not advisable to take any decided steps for the present. The Governors are, indeed, in the position of awaiting a scheme, which, they are told, will be sent them this Session, and which, when received, will be at once taken into consideration."

EXTRA EXPENDITURE — WAYS AND MEANS.—QUESTION.

Mr. CHILDERS asked Mr. Chancellor of the Exchequer, When he will state to the House the provision required for the additional expenditure proposed since the Budget?

THE CHANCELLOR OF THE EXCHEQUER: Sir, I am not able at present to say, but I hope to do so soon.

MR. CHILDERS said, he would repeat his Question.

THE EDUCATION MINUTE — NEW SCHOOLS.—QUESTION.

MR. W. E. FORSTER asked the Vice President of the Council, When he will lay upon the Table of the House the Minute with regard to new schools which the Education Department propose to put in place of the present Minute?

LORD GEORGE HAMILTON: Sir, the Minute was laid upon the Table to-day, so I hope that it will shortly be in the hands of Members.

NAVY—INDIAN TROOPS AND STORES —CONTRACTS FOR TRANSPORT.

QUESTION.

MR. MUNDELLA asked the First Lord of the Admiralty, Whether he is now in a position to furnish to the House, as promised, full particulars of the Contracts for the vessels engaged in the transport of the Indian troops and stores from Bombay to Malta?

MR. W. H. SMITH, in reply, said, that the Admiralty were now in a position to furnish particulars of the contracts, and if the hon. Member would move for them, they would be laid on the Table of the House.

PEACE PRESERVATION (IRELAND) ACT (1875)—SEARCHES FOR ARMS.

QUESTION.

MR. MITCHELL HENRY asked the Chief Secretary for Ireland, Whether it is true that, about two o'clock in the morning, on Friday last, a numerous body of armed police marched into the town of Tuam and made their way into the houses of several respectable persons and ransacked their premises under the allegation of searching for arms; further, to inquire under what authority these acts were perpetrated, and whether the police discovered anything to justify their conduct.

MR. J. LOWTHER: Sir, in consequence of information received by the constabulary authorities, warrants under date of June 12 were issued by the Lords Justices of Ireland authorizing a search for arms in seven specified houses in Tuam. These warrants were executed after sunrise on June 14 in a perfectly legal and regular manner in conformity with the provisions of the Peace Preservation (Ireland) Act, 1875. The only result of the search, so far as Tuam was concerned, was the discovery of some rifle and revolver cartridges in one of the houses. With reference to the subsidiary Question of the hon. Gentleman, it is the case that other searches of a similar character have been made elsewhere; but in such cases, also, the provisions of the Statute I have alluded to have been strictly complied with.

MR. MITCHELL HENRY gave Notice that when the Irish Estimates came on he would bring this subject under the attention of the House, and he hoped the Irish Government would be made aware that they could not perpetrate these outrages with impunity.

METROPOLIS—THE GARDENS OF EUSTON SQUARE.—QUESTION.

SIR JAMES LAWRENCE asked the Chairman of the Metropolitan Board of Works, If his attention has been called to an announcement in "The Estates Exchange Register" of June 1st, of the proposed sale for building purposes of the freehold enclosure forming the south side of Euston Square?

SIR JAMES M'GAREL-HOGG: Sir, in answer to the Question of my hon. Friend, I beg to inform him that I had not seen the announcement to which he refers previously to the Notice of his Question. As the result of inquiry, however, I have been informed that the inhabitants of the south side of Euston Square have a right to the use of the gardens during the continuance of their leases, which have in most cases about 40 years to run, and I have reason to believe that no alarm is felt by them at the disposal of the ground rents.

SOUTH AFRICA—OUTBREAK OF NATIVE TRIBES—TRIAL OF KAFFIR PRISONERS.—QUESTION.

MR. LEITH asked the Secretary of State for the Colonies, Whether he is able to inform the House if it be true, as publicly stated, that the late Premier and Attorney General of the Cape Colony recommended his Excellency Sir

Bartle Frere to try rebel Kaffir prisoners by drum-head courts martial, in order to allow instant execution on the field; and, if true, whether, he will lay upon the table of the House any Correspondence on the subject?

Sir MICHAEL HICKS-BEACH: Sir, I could not reply to the Question without entering into statements beyond the ordinary limits of answers to Questions in this House; and, therefore, all I can say is that Despatches have been received from Sir Bartle Frere containing inclosures dealing with the whole of this matter, and they will very shortly be laid upon the Table of the House. Until that time, I trust, the House will suspend its judgment.

CHINA—THE CHEFOO CONVENTION—IMPORT OF OPIUM.—QUESTION.

Mr. MARK STEWART asked the Under Secretary of State for India, Whether the Indian Government has given its assent to Clause 3 of Section 3 of the Chefoo Convention, which proposes a new arrangement for the regulation of the import of opium into China, and when this new arrangement will come into operation?

Mr. E. STANHOPE: Sir, Her Majesty's Government have decided to approve formally the Chefoo Convention, except the clauses relating to the collection of "lekin" upon opium, and the limits of the area to be exempted from that tax. These subjects are still under consideration.

JAPAN—TREATY OF 1858—ADMISSION OF OPIUM.—QUESTION.

Mr. MARK STEWART asked the Under Secretary of State for Foreign Affairs, Whether it is true that the acting Judge of the British Consular Court in Japan has ruled, in contravention of the Treaty of August 26th 1858, between Her Majesty's Government and the Tycoon of Japan, that opium may be admitted into Japan; and whether Her Majesty's Government intend to support the Acting Judge's interpretation of the Treaty.

Mr. BOURKE, in reply, said, this subject had been brought under the notice of Her Majesty's Government by individuals in this country; but the Government were waiting for the formal Report of their representative. The matter would not be lost sight of, and the Government were perfectly alive to its importance.

TAXATION (IRELAND)—THE VOLUNTEER FORCE—CHARGE ON IRELAND FOR BRITISH VOLUNTEER CORPS.

QUESTION. OBSERVATIONS.

Mr. O'CLERY asked Mr. Chancellor of the Exchequer, If Her Majesty's Government will take measures to relieve Ireland of the charge of £80,000, or whatever may be the exact rateable proportion, which she now pays annually for the maintenance of Volunteer Corps in England and Scotland?

The CHANCELLOR of the EXCHEQUER: Sir, I do not see in what manner it would be possible to effect such an arrangement as the hon. Member seems to contemplate. The charge which is voted for this or any other service is, of course, to be defrayed out of the general Revenue of the country to which Ireland contributes, and there is no intention to relieve Ireland of her rateable proportion.

Mr. O'CLERY: Sir, with a view to placing myself in Order, I shall conclude the brief remarks I intend to make with a Motion for the adjournment of the House. The reply of the right hon. Gentleman, despite the courteous terms in which it was conveyed, was, after all, a direct refusal to relieve Ireland of this great annual charge of £80,000, to which she is subject for the maintenance of English and Scottish Volunteers. And this, too, in the face of the recent refusal to allow Volunteers in Ireland itself. It is needless to say that the conduct of the Government in this matter will be viewed in Ireland with the gravest dissatisfaction. But it should be regarded with dissatisfaction in England also. Is it not an attempt to obtain money from Ireland by a system of what I shall not fear to call false pretences? You deny us the right to bear arms in the defence of our own land—a right enjoyed by every free people—and yet you say to Europe that we are free. You say in this European crisis that you can present an united front to your foreign foes, and yet you are compelled to debar 5,500,000 of the Irish people the use of arms. Do not disguise it from yourselves that this is not well known abroad. But if, in the face of this fact, you will not allow us a Volunteer Force, why take our money for the support of yours? Our country is struggling to right herself after centuries of misgovernment unparalleled in history—her population has diminished by millions, while her present resources, able to maintain double her present population, remain undeveloped and neglected. And this is the country which you would still further impoverish by abstracting from her revenues vast sums, of which this English Volunteer charge is only an example. Of course it is done insidiously, under the guise of so-called Imperial taxation; but there is in the result no difference between it and the forced loans which you tell us Russia makes in Poland. The system in either case is as ruinous to Ireland as to Poland. Of course, you say, when we demand grants for the pressing needs of our country, that the laws of political economy forbid such expenditure. But those laws do not forbid the expenditure of Irish money for the improvement of English harbours and the maintenance of London museums and even London parks. What could we not do in Ireland with such a sum as £80,000 a-year? There are questions of vital moment to Ireland which could be satisfactorily solved by the retention of even this money in the country. It is needless to point out, for it must be evident to all, what immense advantage this money would be to us in the reclamation of our waste lands. Or it would give a system of technical education to the artizan youth of Ireland. It would enable our country to take advantage of her magnificent position as the highway for trade between Europe and America, by direct steam communication between Limerick and Galway and the United States. It would enable us in some measure to realize the vast wealth which the neglected fisheries around our coasts present. Divided in fair proportions between all sections of the Irish people, it would still leave to Irish Catholics ample means for the support of a Catholic University. In the face of the recent proposal of the Government, what would it not do for intermediate education? The Government have set forth as a great boon the £1,000,000 which they propose to give for intermediate education; but that £1,000,000 would only yield about £35,000 a-year, while you take £80,000 a-year from us for your Volunteers. I might add that works of great national concern, such as the drainage of the Shannon, and the improvement and extension of the canal system, would be greatly aided if we were allowed to devote this money—which I must again repeat is ours—to such a purpose. You are always saying that Ireland's contention against England is based on what you are pleased to term "sentimental grievances." I submit I have shown to you, who are a commercial people, and boast that you reduce everything to figures, that this is no sentimental grievance, but a very practical one indeed. It is the first time it has been presented to the notice of Parliament, and I feel assured that a sense of shame must arise in the minds of all who love honour and fair play, that this injustice should exist, and when exposed should be allowed to continue. Of course I am not unmindful of the fact that you consider it a great inconvenience to have this subject brought before the House at this time. But I have to remind you that Ireland suffers a far greater inconvenience—nay, more, a grievous wrong—by being thus victimized under your system of Imperial taxation, which robs her for your benefit. I beg to move, Sir, the adjournment of the House.

MR. E. HUBBARD: I rise to Order. On a late occasion, the Speaker told the hon. Member for Meath that it was exceedingly inconvenient to raise a debate by moving the adjournment of the House. I would ask, whether, in view of any hon. Member stopping a debate upon a question which most intimately affected the three component parts of the Kingdom, he is in Order?

MR. SPEAKER: I have repeatedly pointed out to the House that the moving of the adjournment when Members are not satisfied with the answer to a Question is most inconvenient. In a matter of this kind the House must be the judge. If the hon. Member insists after what I have stated, he is undoubtedly at liberty to proceed with his Motion.

MR. O'CLERY: I am fully sensible of the inconvenience of this course; but I also think of the inconvenience to my country to have to pay this charge, and I intend to bring this subject fully before the House.

MR. SPEAKER: If the hon. Gentleman intends to bring this matter on in the regular way, he is now altogether out of Order in anticipating the discussion of his proposed Motion.

Mr. O'CLERY: I fear it would be impossible to bring the subject before the House this Session, and therefore I bring it forward in this way, in order that hon. Members may have during the Recess an opportunity of considering it, so as to relieve this injustice. I move the adjournment of the House.

Major O'BEIRNE said, he would second the Motion. He was glad that attention had been called to the matter in the leading newspapers. *The Times* considered that the question deserved consideration, inasmuch as great changes had taken place in the country since 1858. He was likewise of opinion that the decision Lord Palmerston had come to in 1858 relative to establishing Volunteers in Ireland should be revived—the social and political condition of the country having so much changed since that time. It had been said that the Protestants would use their weapons against the Catholics, and the Catholics against the Protestants; but this had not been found to be the case in Canada, for there Protestants and Catholics had worked amicably together. He protested against the adjutancies being given to English officers, while Irish officers were totally excluded from such privileges. He hoped the Chancellor of the Exchequer would see some day or other that it was unreasonable to expect Irish Members to vote money for which their country could receive no benefit. The same thing might be said with regard to the Yeomanry. £74,600 a-year was included in the Estimate annually for Yeomanry, and the adjutancies of these regiments were given exclusively to English officers, Irish officers being totally excluded.

Motion made, and Question proposed, "That the House do now adjourn."—(*Mr. O'Clery.*)

Mr. BIGGAR remarked, that a great deal of good might be done in Ireland with the money which they were compelled to spend on Volunteer Forces. He thought they really could not have the conscience to as kIreland to pay so much for English Volunteers.

Question put.

The House *divided:* — Ayes 12; Noes 306: Majority 294.—(Div. List, No. 186.)

Mr. Speaker

ENDOWED SCHOOLS (SCOTLAND) BILL.

QUESTION.

Mr. C. S. PARKER asked the Secretary of State for theHome Department, Whether, in Committee on the Endowed Schools (Scotland) Bill, he will be prepared, according to the precedent of several similar Bills, to give the Committee the names of the proposed Commissioners?

Mr. ASSHETON CROSS, in reply, said, that the precedents were not quite on all fours in this matter. He should, however, like to take time to consider whether he could comply with the wish of the hon. Gentleman.

ARMY—THE REGIMENTAL DEBTS ACT.

QUESTION.

Mr. A. MOORE asked the Secretary of State for War, Whether the Regimental Debts Act, 1863, and the Royal Warrant under that Act, in which it is provided that the effects of deserters be forfeited to the Crown, apply to the entire Army?

Colonel STANLEY: Sir, I apprehend that the Regimental Debts Act and the Royal Warrant apply to the Army generally; but some reservations appear to have been made on this point by the legal authorities at the time when the subject was under consideration.

PARLIAMENT—PUBLIC BUSINESS.

QUESTIONS.

Mr. J. COWEN asked, in the event of the Cattle Diseases Bill not being finished that evening, whether the Bill would be proceeded with to-morrow or on Thursday?

The Marquess of HARTINGTON said, he was about to ask what Business would be taken at the Morning Sitting to-morrow and on Thursday?

The CHANCELLOR of the EXCHEQUER: The Government, of course, cannot foresee how long the debate on the Contagious Diseases (Animals) Bill, which stands first on the Orders, will last. If it should not be finished tonight, we should propose to go on with it to-morrow morning. The next Business we propose to take after this Bill is through its second reading, is the Irish Queen's Colleges Vote, which we wish to take on Thursday.

ORDERS OF THE DAY.

CONTAGIOUS DISEASES (ANIMALS) BILL.—[*Lords.*]

(*Sir Henry Selwin-Ibbetson.*)

[BILL 204.] SECOND READING.

Order for Second Reading read.

SIR HENRY SELWIN-IBBETSON, in rising to move that the Bill be now read a second time, said, that before 1865, it had not been thought necessary to take any precautions against losses from cattle disease. It would be in the recollection of hon. Members how severe were the losses in 1865 and 1867, and how materially, in some parts of England, it diminished the flocks on which we depended so largely for our meat supply. A Royal Commission was appointed to inquire into the subject, and the result was the passing of the Act of 1866; which, for the first time, laid down regulations for restricting the movements of cattle. The legislation in 1866, and the inquiry that had preceded it, culminated in the Act of 1869, and up to the present moment that Act had practically regulated the importation of cattle into this country. The Bill of 1869 gave power to the Privy Council to prevent the importation of cattle from countries in which disease had broken out, and to order the slaughter at the ports of cattle arriving from infected places abroad, while allowing animals from countries from which the import was not prohibited to pass freely into this country after 12 hours' quarantine. The House would see that under the Act of 1869, and up to this time, our protection depended on the early knowledge we might acquire of the breaking out of disease in foreign countries, and on the efficiency of the inspection at our own ports. With regard to our home stock, the Act of 1869 left it to the local authorities of the districts to lay down and enforce regulations, with power to the Privy Council to supervise and step in in cases of great emergency. There were in all about 411 local authorities, and it came out before the Committee who sat in 1877 that the regulations they laid down were so conflicting that, practically, they furnished no real protection against the spread of diseases when they were once introduced. A remarkable example of the evils resulting from conflicting regulations was furnished by Mr. John Wilson, who stated that the existence of three different sets of regulations for Newcastle, Durham, and Northumberland enabled traders by a little scheming to render the regulations practically inoperative. Since the regulations framed under the Act of 1869, there had been a considerable amount of foot-and-mouth disease and pleuro-pneumonia in this country. There had been two separate outbreaks of cattle plague in 1872 and 1877. The spread of these diseases affected the country so largely that pressure was put on the Privy Council in many instances; the defects of the law were pointed out; and the result was the appointment of a Committee in 1877. The labours of that Committee were by no means unproductive. It was shown that the cattle plague had defied all our regulations, and that we did not receive any information of the outbreak of disease in foreign countries before the cattle from those countries had arrived at our ports and entered this country. Practically, the cattle plague was among us before the receipt by the Privy Council of the letter announcing its outbreak and warning us to be prepared. Naturally, when that occurred more pressure was brought to bear upon the Privy Council, and the defects of the law were pointed out. The Privy Council found that, although recommendations had been made as to some points which were not embodied in the existing law which might at once have been dealt with, there were other points vitally affecting consumers in this country on which it was desirable to have further consideration before legislation was undertaken. The result of the inquiry of 1877 was to reverse the decision of the Committee of 1873, and to show that there was evidence to justify a recommendation that cattle should be slaughtered at the port of import. It was established by the voluminous evidence of many witnesses that the inspection on which we had relied to prevent the introduction of disease into the country had practically failed; and that, although we were to a certain extent dependent upon foreign supply, it did not follow because of the restrictions that were suggested and of slaughtering at the ports that that foreign supply would leave us. It ought to be remembered that the first introduction of cattle plague into this country practically reduced the stock of cattle in the country and seriously diminished its reproductive capacity; while, at the same time, we lost directly from disease more cattle than were brought from abroad. The foreign supply formed only a small proportion of the whole supply, and if that foreign supply were compared with the home stock and with the large amount we derived from Ireland, it would be seen that if we could succeed in giving security to the producers in this country, the increase of the home stock even to the amount at which it stood before the outbreak of the cattle plague, would increase the amount of food for the people so materially as to do away with the necessity for foreign import. But while you introduce slaughtering at the ports for the protection of the home stock, it by no means followed that you would diminish the foreign supply. Although disease might prevail to a calamitous extent at the present time, from the fact that it had never been sufficiently eliminated by restrictions, there was conclusive evidence that the disease itself was imported, and that conclusion was accepted by all the scientific witnesses. There was ample evidence to show that the restrictions at home in time past had not been sufficient to stamp out the disease. He would now cite some figures in order to show how large a proportion of the animals imported into this country were diseased. The total number of foreign animals imported in 1876 was 1,357,856, and of these 9,370 were diseased. The number of foreign animals imported in 1877, when the cattle plague restrictions were in force, was 1,090,059, and of these 3,790 were diseased. This large deduction in the number of animals imported was owing to our cattle restrictions as against Germany. In 1877 it was found necessary to slaughter at the port of debarkation no fewer than 231,689 animals that had been in contact with the 3,790 which were diseased. To show this still further, he might add that out of a total, in three years ending in March, 1877, of 12,380 cargoes which had come into this country, as many as 1,458 cargoes had been stopped for having diseased animals on board. With reference to the importation of disease, Professor Brown, on being asked whether pleuro or foot-and-mouth disease was the more frequently introduced, replied—

> "Pleuro, undoubtedly, in consequence of the impossibility of the disease being detected in the state of incubation by any kind of examination."

He believed the House would be of opinion that the disease was either generally imported, or so largely imported, as to be dangerous to our home stock. The next question which arose was, whether the importation of disease had caused considerable losses to this country. From the annual Return published by the Privy Council, he found that in 1876 there were 4,673 beasts suffering from pleuro slaughtered, of the value of £32,000; and in 1877 there were 5,168 beasts slaughtered, of the value of between £38,000 and £48,000. In Westmoreland and Cumberland the losses from pleuro alone in seven years amounted to £306,000. But besides the direct loss from pleuro, evidence was given before the Committee of 1877 of the loss which was suffered from the foot-and-mouth disease, which was considered the most fatal in its loss of the three diseases referred to. Mr. Stratton, one of the witnesses, stated that the absolute losses by deaths were very much less serious in their effects than the depreciation in the value of the live animals, adding that from foot-and-mouth disease we absolutely lost, in his county, in 1872, 439 beasts, 55 sheep, and 851 pigs. The same witness said that besides these actual direct losses, the depreciation of stock was considerable, and he could not accept a closer valuation than £2 per head on all animals affected; while from having to reprepare fat stock, and from lost power to feed off others, there was a direct loss to the consumer. He likewise said that in the case of milking cows being attacked with footh-and-mouth disease in the Summer, the loss would be £5 per head. Mr. Melvin, another witness, said—

> "I consider that during the four attacks between 1871 and 1876 I lost about £2 per head on my cattle from foot-and-mouth disease, from their going off condition and having to be brought back. The deterioration in condition was equivalent to a loss of six weeks."

Mr. Sheldon, another witness examined before the Committee, said—

"A great deal depends on the time of year when you have it. If I had it now, I should reckon the loss to be very great, because the cattle are in full flow of milk. I had it last Autumn, but then the loss was not so great—the weather colder; but at that time I reckoned the loss at not less than £4 per head on the dairy stock; on grazing stock, half fat, I should not consider that £2 per head was sufficient for loss."

Mr. Howard, a gentleman who was well known some years ago as a practical agriculturist and a Member of that House, stated before the Committee—

"In one summer I lost 40 head of cattle from pleuro, and I have had constant losses from foot-and-mouth disease and pleuro—such losses as would have crippled an ordinary tenant farmer."

When the footh-and-mouth disease fell upon the breeding stock, the losses were still more serious. Mr. Booth said—

"Breeding animals are particularly liable to abortion by disease. I will give an instance. In 1872 I had 17 cows in one pasture, and they all went down with disease, and the produce of the whole of those 17 cows was one calf. Against that I may set the present year, when we are perfectly healthy, and I have upwards of 40 calves on the farm at the present time."

On being asked—"Do you think that was entirely owing to foot-and-mouth disease?" he replied—"I have not the slightest hesitation in saying so." With reference to the loss by abortion, Mr. Rea, another agricultural witness, said—

"In speaking of foot-and-mouth disease, I do not think there is anything more annoying and restrictive than it is, particularly as to breeding animals. If it gets into a large flock of ewes in the Autumn or Spring before lambing, no one can tell the havoc that it makes, and I believe there is inherent in that stock for generations to come a weakness of constitution."

He was asked—"That applies equally, does it not, to breeding cattle?" and he answered—"Unquestionably. I believe it is equally so with cows."

"They often drop their calves afterwards, do they not?—I believe it is very well understood that they not only drop their calves, but that they suffer to a great extent themselves for a considerable time in their milking properties."

Beyond the fact of these losses, he thought the evidence adduced before the Committee conclusively showed that the consumer was really prejudiced; because, since 1865, the price of meat had practically gone up in consequence of the diminution of stock. Mr. Wilson showed by the figures he submitted to the Committee that beef was now as much as 1*d.* or 1½*d.* more a-pound than it was in 1865, and that there had been a steady rise in price since that time. That rise was owing to the fear engendered by the diseases which were imported. With regard to the discouragement of breeding, he saw in *The Times* a letter from Mr. Thornton, a gentleman well-known in the agricultural world, and also to the public. Mr. Thornton said—

"Since 1870 I have sold upwards of 15,000 animals for breeding purposes in every county in England, except Cornwall and Monmouthshire, in every province in Ireland, in the Lothians of Scotland, and as far north as Forfar and Morayshire. These sales are the springs from which the general stock of the country is increased and improved, and are attended by audiences rarely less than 200, and on several occasions between 2,000 and 3,000 people have been present. To most of those people I am personally known, and their complaint is a general one, that the foot-and-mouth disease is the great deterrent to the increase of our herds and flocks, and the cause of the decrease in the number of animals throughout the Kingdom."

This was the evidence of a man who was constantly brought into communication with all the breeders throughout the country, and therefore it was conclusive evidence that the fear of the disease engendered in 1865 and since that date had practically diminished the meat supply of this country. Before going further, he desired to say that the question submitted to the House in this Bill was not an agricultural nor a farmer's question. He placed it before the House entirely as a consumer's question. If the measures he proposed were not justifiable from a consumer's point of view, he admitted that it was not right. What he wanted, and what he hoped to prove the Bill would do, was to give the greatest amount of protection to our home stock, which, combined with the amount of foreign supply that could be sent to this country, would give us the greatest amount of food. It was true that restrictions of that sort might possibly diminish the foreign supply, but it was not proved conclusively that although possible it was probable. Now the question was, Could that be done? Could the introduction of disease be stopped, and could it be eliminated from this country? It had been stated in Committee by witnesses who came from

Denmark that pleuro and foot-and-mouth disease had been introduced, and that by severe restrictions they had been enabled to stamp them out. A Report made by the Chief Constable of Cumberland and Westmoreland stated that—

> "During the last three months there has been no case of foot-and-mouth disease in either county. This is the first time since the latter part of 1869 that Cumberland has been quite free for three months at this season of the year from this disease. I attribute the absence of the disease now to the regulations which have been lately in force to guard against the spread of the cattle plague."

It also said—

> "It is a fact worthy of some consideration that during the operation of the cattle plague regulations 11 years ago foot-and-mouth disease disappeared altogether. In the latter part of 1869, when there were no regulations, this disease re-appeared, and from that time till the recent regulations were put in force, the country was not free from it. It is admitted by the farmers and others that one of the practical results of those regulations was the stamping out of the foot-and-mouth disease and the prevention of its re-introduction. This is exactly similar to what occurred 11 years ago during the existence of the then regulations."

He had quoted these opinions to show that, with proper regulations for the home supply, cattle disease might be stamped out. It was conclusively proved by witness after witness representing the agricultural interest — many of whom came from Agricultural Associations—that the farmers were willing to admit such restrictions for the purpose of securing such a gain. One farmer only came forward to express a contrary opinion. Professor Brown stated that if the regulations were enforced, the stamping out of the disease would be a matter of months only. And Mr. Rea said he was not prepared to state that the disease would be stamped out at once, but that it would be reduced to a minimum. Well, if that were possible, were not the farmers and agriculturists entitled to ask, when submitting to restrictions, that at least they should be protected as far as possible against the re-introduction of the disease from abroad? The question naturally arose, would any system of inspection of animals practically guarantee such security? There was strong evidence to show that such would not be the case. They had no control over the regulatious, and, therefore, had practically very little knowledge of what went on in foreign countries. They had, in fact, to depend upon such information as was sent over, and could not, therefore, know whether there had been a really efficient inspection at the ports of export. The House would remember that what was to be dealt with was a disease which lay dormant for 30 days to, perhaps, two, or even three, months, and how was it possible to know, supposing even that the animal had passed a satisfactory inspection abroad, that weeks after landing disease might not be developed? How, therefore, was it possible to say that inspection of animals at the port of landing was a sufficient guarantee against the introduction of pleuro-pneumonia? The period of incubation of foot-and-mouth disease was, no doubt, shorter; but it was often as long as a fortnight or three weeks, and as the animal was allowed to go free 12 hours after inspection, it was a fair inference that the introduction of foot-and-mouth disease, notwithstanding inspection, was possible. It was clear from the evidence that imported animals, which, on inspection showed no signs of disease, had developed disease, and that slaughter at the port of landing was the true remedy to prevent its introduction. The next question was, whether the slaughter should be universal, whether it should be applied to all countries alike, or only to those in which severe precautions were not taken abroad? [*Cheers.*] He was quite aware from that cheer, that it might be said that individually he had not always been prepared to recommend universal slaughtering at the port; and that, in summing up the evidence which had come before him in the Committee, he had submitted a draft Report to that effect. But this he would say, that there was so much to be urged against the exceptions which he thought might be made in favour of such a country as Denmark, that he confessed the opinion he had formed had been very much shaken. There was no doubt or question about Germany, or Russia, or the Netherlands; but the question came to this—whether the cattle imported from France, Spain, and Portugal, and from Denmark, Sweden, and Norway, ought or ought not to be treated differently? With respect to France, he was quite aware that before 1865 a large amount of cattle was received from that country, and that since she was subjected to the

Schedule in 1877 they had practically received none at all. But the fact would be recognized by all who had studied the subject that the supply from France depended on the amount of cattle sent into France. The Franco-German War practically destroyed a large portion of the stock of France, and now the supply for that country depended largely on the import of cattle into it. The statistics showed that there was a large amount of difference between the amount of disease imported from Denmark and from Spain and Portugal; but he would point out to the House that where the restrictions at the port of export were not sufficiently severe to prevent the introduction of disease, disease might be imported if proper regulations were not enforced here—for one case might become a centre from which the disease might spread over a district. It was within the knowledge of the Veterinary Department that, notwithstanding the restrictions mentioned in evidence before the Committee, German cattle were introduced from the frontier farms into the markets of Denmark, and found their way into this country. Nothing could be easier than for this to be done, and he thought the fact was one which militated strongly against allowing exemptions from the rule which had been laid down. There was another reason which ought to weigh strongly in favour of the proposed regulations, which was that they would insure a fairly regular supply of meat to the English markets. If a consignee of oxen or other animals intended for the English market heard that there was a suspicion of the cattle plague regulations being put in force, he, although his consignment might be perfectly free from disease, was compelled, in order to save himself from loss by reason of delay, to send his cargo to a different port of disembarkation; and, therefore, to a different market. This led to great uncertainty, and it was given in evidence by several witnesses that butchers did not go in any large numbers to the Deptford market, because they were not certain of finding a supply of cattle sufficient to meet their wants. This was a state of facts which must tend to prejudice the business of those who exported and imported foreign cattle. It must, also, be considered whether the necessity for slaughtering cattle at the ports of disembarkation would lessen the trade from Continental countries. In many quarters it was contended that this would be the result; but he found that they imported from Holland, during April and June, 1877, 725 oxen and cows, 3,689 calves, 14,068 sheep, and 317 pigs; whilst, in the same months in 1878, with the restrictions existing, there had been imported 1,559 oxen and cows, 4,793 calves, 23,455 sheep, 1,069 pigs, being 11,000 or 12,000 head more than in the same period the year before. And, curiously enough, while the sheep came from Germany, which was restricted, Denmark, which was free, sent a very much smaller number into this country than she had the year before; so that decreased importation could not be attributed entirely to the animals having to be slaughtered on their arrival, but to the difference in the stock of one year as compared with the previous one. Furthermore, it must be clear to anyone who carefully considered the matter and paid attention to recent changes in the matter of food supply, that the probable effect of the regulations in existence would be to increase the import of dead meat as compared with that of living cattle which must be slaughtered at the port of disembarkation. The Swedish Minister, in a speech recently delivered by him, acknowledged that under the restrictions proposed, the cattle trade would be less free than heretofore; but that it would be equally advantageous to transport the dead meat. It must be evident that whatever restrictions were placed upon the trade, it would be practically regulated by the demand, and as long as prices continued to rule in this country as at present, so long would there be a superabundant supply from the Continent. Looking at the question as one referring solely to the supply of food, there was no doubt that the dead meat trade was largely and steadily increasing; and that, however imperfect the trade now was, it was immensely and steadily growing, and the Returns that had recently been published by one of the principal importers showed a large increase since the Committee took evidence on that point. A very large quantity of dead meat was at present imported from America, and the trade was extending within the United Kingdom. Mr. Rudkin in his evidence stated that the quantity of dead meat imported into London was 175,000 tons a-year, and no less than 60 tons per day was sent from Scotland into London in the hottest July weather in perfect marketable order, without any of the appliances used for bringing over American meat. This, he contended, showed that, in default of animals to be slaughtered, there was every reason to anticipate a steady supply of dead meat. It was said that if the animals came to be slaughtered at the ports, they could not be easily distributed among the manufacturing towns. A great point was made by the butchers that it was necessary they should be able to take the live animals down to those towns, because they could not rely on the carcasses being brought down in good condition. The Committee had considerable evidence on that subject. Mr. Robinson, speaking for a large importing firm, gave evidence to the effect that there would be no difficulty when animals were slaughtered at the ports in taking a supply to those towns, and he said that up to the last two or three weeks of the time he appeared before the Committee there were forwarded to Manchester, Birmingham, and other places, a considerable supply of animals which had been slaughtered at the ports. And Mr. Rudkin, who, perhaps, knew more at the time about the Deptford market than anyone else, said that there was a large supply sent from Deptford into the country, and that thousands of sheep slaughtered at Deptford passed to differents parts of the country. It was Mr. Rudkin who stated a fact, which caused considerable amusement—that he knew of sheep slaughtered at Deptford going down to Wales, and coming back as "Welsh mutton" to London. Thus the meat went through two journeys. Speaking of Leeds, Mr. Rudkin said he could assure the Committee that that town would not suffer, except as regarded the offal, and that difficulty could be readily overcome. If, then, the animals came over here in sufficiently large numbers, as he had tried to show they would, and were slaughtered at the ports, we could freely distribute them about the country without fear of the introduction of disease, and the result would be that we might look forward to an amount of security such as existed before these diseases became prevalent; the home supply, which was so much in excess of any that could be derived from abroad, would return to its normal condition, and we might hope that the price to the consumer would fall. The Bill which he had the honour to introduce to the House attempted to deal with the question. It proposed, as far as cattle plague was concerned, to put it down by giving to the Privy Council absolute power to stop the imports entirely from the countries where it prevailed, and by slaughter at the ports and inspection. There was one clause in the Bill which dealt with the introduction of store animals into this country. At first sight, to allow the importation of store cattle might appear contradictory to the object in view—namely, to prevent the introduction of disease. The Bill, however, provided that these animals should, in the first instance, be subjected to a quarantine, and afterwards that they should be followed to the places where they were located and be put under constant supervision for 56 days. Combining these two precautions, he maintained sufficient security against disease was taken, while a loophole would be left for the introduction of valuable animals. With regard to Ireland, the Bill placed the sister country in exactly the same position as England itself; and he believed that farmers in Ireland, supposing that severe restrictions against the introduction of disease were necessary, would admit that this provision was justified. He was quite aware that it had been said, with considerable force, that as regarded the foot-and-mouth disease these restrictions were unneccessary. He quite believed that animals of a hardy nature, such as the cattle from Ireland, were not so subject to that disease as the highly-bred animals in this country. But if the Kingdom were to be treated as a whole, Ireland would not object to be subject to restrictions which were found to be absolutely necessary for England. The opposition to the Bill came really from certain importers of foreign animals. It was true that a certain class of butchers in this country had a prejudice against buying slaughtered animals; from a custom of the trade, they were in the habit of buying the animals alive, and keeping them on their premises until they wanted them. But that practice was dying out. From evidence before the Committee, it appeared that the practice had almost died out in London; that since the opening of the dead meat market at Smithfield the number of private slaughter-houses had diminished enormously, and that the trade had not suffered. From the butchers' point of view, he believed the grievance to be imaginary, and that the trade would be benefited by the change. But it was quite true that the importers would be affected by the Bill, though not as seriously as they imagined. Their trade would be altered; but it should be remembered, after all, that the position of the trader was not very much in the interest of the consumer. He confessed he was very much surprised at one argument used against the Bill, when it was said that the import of live animals from America was much more in the interest of this country than the introduction of carcasses, because live animals were worth £2 to £3 more. In the interest of the consumer, that was not the view which the Government took of the question. However much it might be the object of the trade to oppose the Bill, with the view to keep up the prices, the great object Parliament ought to have in view was to get the largest supplies of meat both from this country and from foreign countries, and thus to keep the prices down. He placed the defence of the Bill merely on the suppression of disease. If the regulations and restrictions which the Bill imposed were effectual in that point of view, he thought the stock of this country would largely increase and the price of food would be cheapened. He ventured, therefore, to think that some benefit to the people of this country would result from the Bill. He was afraid he had trespassed much too long on the attention of the House; but, feeling deeply impressed with the advantages which would result to the consumer, he ventured with confidence to recommend the Bill to the adoption of the House.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Sir Henry Selwin-Ibbetson.*)

MR. W. E. FORSTER: I beg, Sir, to move the following Resolution:—

"That, in the opinion of this House, the slaughter at the ports of landing of all fat cattle from the Continent would restrict the supply and increase the cost of food, and should, therefore, not be made compulsory, under all circumstances, by Act of Parliament."

Before I give my reasons in support of this Resolution, I ought to tell the House why I adopt this course. My hon. Friend the Member for Burnley (Mr. Rylands) has given Notice of a Motion for rejecting the second reading of the Bill. I wish him to know why it is that I cannot vote in favour of that Motion. In 1873 there was a Committee on this question, of which I was the Chairman. There were several recommendations made by that Committee, some of which could be carried out by Order in Council, while others required the alteration of the Act. Everything that could be done by Lord Ripon and myself, under the Orders in Council, was immediately done, and we were surprised that our Successors in Office did not take the first opportunity of doing what we should have done had we remained in Office—namely, of carrying into effect those recommendations that required an Act of Parliament. One or two of those recommendations are contained in this Bill, and one is of considerable importance, giving the power, as it does, to place under supervision the neighbouring premises to those in which the cattle plague may have broken out. Professor Brown, who is almost the ablest administrator with whom I ever came in contact, strongly recommended the adoption of this provision; and, in his evidence before the Committee last year, stated that, if it had been law, the outbreak of cattle plague might have been stamped out in one month instead of continuing, as it did, for six months. I cannot, therefore, vote against the second reading of a Bill in which this provision is contained. There is another recommendation of our Committee embodied in this Bill—namely, the prolongation of the period of isolation for pleuro-pneumonia. The supporters of the Bill, however, ask me why, at this stage, I propose this Resolution? My reason is, that the compulsory slaughter of all Continental animals at the ports of landing is to my mind so exceedingly objectionable, that I cannot avoid taking the opinion of the House on this provision, which is, in fact, the main provision of the Bill. But, although it is the main provision, it must be remembered that my Resolution may be passed and yet the Bill be read a second time, and that all the alterations of the present Act, of which I approve, may become law.

I will not repeat the statement often made and but little attended to, that this Bill ought not to be made a Party question. But this much I may say, that this question will not be fought out within Party lines. On the one hand, there will be many Members on this side of the House who, sympathizing with the farmers, and brought into contact with them, will, I fear, oppose my Resolution, unless I succeed in convincing them of its justice, of which I do not altogether despair. On the other hand, the principle of freedom of trade will, I trust, be supported by many hon. Members opposite who are the Representatives of large populations. But, however this fact of a tendency towards a division, which I should much regret, between town and country, or, rather, between producers and consumers, may operate, I can assure the House that I am as anxious as the hon. Gentleman who moved the second reading of this Bill to point out that the interests of producers and consumers are not really opposed, although the interpretation which I put upon those interests is very different from that which he has placed upon them. We must all do our utmost to prevent class antagonism, and a concession, I think, on each side may be made. Some of the opponents of the Bill are of opinion that its object is protection, while some of its supporters imagine that we who oppose it have but little sympathy with the farmer. Now, I am quite prepared to admit that the object of the Bill is not protection, though I think I shall be able to prove that protection would be the result of its passing into law; but I think I ought not to be supposed to be either ignorant of the difficulties which beset this question or to make light of the diseases with which the Bill deals. My experience in Office has been sufficient to show me that they are very serious matters, and if it could be proved that slaughter at the ports of landing was necessary to stamp out disease, or even that it would stamp it out, I would admit that it would be for the interest of the consumer to suffer some immediate loss from the diminution in the foreign supply in the hope and belief that the home supply would be ultimately increased. But I think I can show, in the first place, that the provisions of the Bill, with regard to home restrictions, will not stamp out disease; and, in the second place, that the foreign restrictions will raise the price of meat, or, in the words of my Resolution, "restrict the supply and increase the cost of food." It is on my ability to prove these two propositions that I ask the House to base their opinion of my Resolution.

I will take the second proposition first. I will attempt to show that harm will be done, before demonstrating that no good will be effected. The speech of my hon. Friend the Secretary to the Treasury was, generally speaking, very fair, but he made, in my opinion, too little of the Continental trade; and we must remember that, although this Bill is generally called a Cattle Bill, it is also a Sheep and Swine Bill. Taking the average of the last five years, the import of live cattle affected by this Bill—that is to say, the import from the Continent—has been 210,000; the number of sheep being 900,000, and of swine 66,000. It is impossible to say, with accuracy, what proportion this import bears to the whole consumption of the country. Professor Brown tells us in his evidence that the lowest computation was 5, and the highest 15 per cent. If I were asked to give my own opinion, I should put it at 12½ per cent; but we have very reliable data with regard to this City. We know what is the proportion of live animals that come to London from the Continent, and the official Returns show an immense import trade. In 1875, the Continental cattle imported into London bore the proportion of 47 per cent to the total number of cattle sold in London; in 1876, the proportion was 46 per cent; but in 1877, it had come down to 41. In 1875 the importation of Continental sheep was 46 per cent; in 1876, 49; and in 1877, 51 per cent. As regards swine, the Continental swine were 85 per cent in 1875; in 1876, 87; and in 1877, 86 per cent. These official Returns show an immense import trade, but they furnish no measure of what this trade may become. We have now got into a period of high prices for animal food; there is a strong inducement all the world over to grow beef and mutton for our enormous population; and my objection is, that by this Bill we shall prevent that consistent and natural growth and increase of imports to which we ought to look for some protection against those high prices.

I shall be told that this Bill does not prohibit the import of Continental cattle, and that it merely provides for their slaughter at the port of landing. We now come to the question, how far this slaughter will prevent or diminish the import? On this point there is great difference of opinion, and this difference was very decidedly shown in the evidence given before the Committee of last year. It is, however, remarkable that those witnesses who said that the import would not be diminished were men not engaged in the import trade, but farmers and members of Chambers of Agriculture, while, with one exception, all the witnesses engaged in the trade were confident that it would be greatly diminished; and this observation applies, not only to butchers and importers, but also to producers. The other Members of that Committee will recollect the very strong evidence which was given by a Pomeranian nobleman who occupies the same position in Pomerania as many Chairmen of Agricultural Chambers do in England; and so great is the anxiety in Denmark on the subject that the Member for Copenhagen has come over here to give information and carefully to watch this Bill. [*A laugh.*] Hon. Members may laugh, but is it not quite proper that the Member for the Metropolis of an importing country should come here to look after its interests? This gentleman, who has for years been a free trader, believing, as he does, that the provision to which I have been referring will injure not only Denmark, but England, has been only doing his duty in coming over to remind his old free trade colleagues of the diminution of trade between the two countries, which would certainly result from the passing of this Bill. I may be told that all those witnesses were interested, but their contention that their interests were affected proves my argument. The question is, will the trade be diminished? and the fact that all persons engaged in it are so sure that it would be diminished, that they are ready to use great exertions to prevent the passing of this measure, is a very strong proof of the justice of my assertion.

Those gentlemen have much to say in support of their view both as regards theory and facts. Let me take theory first. The Secretary to the Treasury has referred to the dead meat import. I should be glad to see the dead meat trade increase, if for no other reason than the saving of suffering to the animals; but the time has gone by to justify the supposition that a trade can either be created or supported by legislative enactments. If the dead meat trade increases, it will be because of the power of those who are engaged in it to meet demands; but I doubt whether this year the increase is so evident as it appeared to be last year. As regards the United States, the chief fact we have to deal with is not so much an increase of the import of American dead meat as the very quickly growing trade in live animals. There is this reason why the live animal is more profitable to import than the carcass. The live animal can wait the market, and he can follow it, while we cannot get rid of the fact that dead meat is a very perishable article, and that the forced sale of a very perishable article generally results in loss. I appeal to all those Gentlemen present, who either attend or watch any market, Consols or Shares, or corn, or goods, or cattle, whether the worst position in which a seller could be put is not that in which he is obliged to make a forced sale; and that is the position in which, by this restrictive legislation, we shall place the importer. He will be the forced seller of a perishable article. Nothing was more clearly brought out in evidence before the Committee last year than the fact that very little difference of price would lead to animals being taken to Continental rather than to English cities. I have been told that, inasmuch as the price which importers would obtain would be less, because they would be thus forced to sell, the consumer would gain—a statement that would be true enough if we had the same control over the foreign producer as we have over the foreign importer. For instance, Mr. Gebhart, one of the largest importers into London, told us last year that a fall of 1*s.* or 2*s.* in the price of a merino sheep, or 10*s.* or 20*s.* in that of a beast, would divert them to Paris instead of to London.

So much for what would be likely to happen under the operation of this slaughtering provision. Now let us see what has happened. In 1877, the decrease in Continental imports was—

cattle, 87,000; sheep, 194,000; and swine, 24,000. Take the cattle first. I am well aware that some of this diminution may be accounted for by the total prohibition of imports from Belgium and parts of Germany, in consequence of the outbreak of cattle plague. Professor Brown thus accounts for 26,000 cattle, leaving a diminution of 61,000 caused by some countries being scheduled—that is to say, by the countries from which they were imported being included in the schedule which compelled the slaughter of their animals at the port of landing. Holland was thus scheduled in February of last year, and the diminution of the Dutch import alone was 41,000. In his last Veterinary Report, Professor Brown says—

> "There is no doubt that the restrictions which were enforced on the free movements outward of cattle from Schleswig and Holstein induced exporters to send a large number of animals to France by sea; and it appeared, from the Holstein papers, that an effort was made to arrange for the transit of animals by train direct from Tonning to Paris."

Again, take sheep. In their case there was no absolute prohibition; but slaughter at the ports was imposed on Germany, France, Holland, and Belgium, and the diminution in the import of sheep was 178,460. This may be said to be the experience of one year only, but take the effect of scheduling in former years. The Duke of Richmond and Gordon made a most able speech in March of last year in the other House of Parliament, in which he supported the view I now take, and which speech, I must add, he has never himself attempted to answer. As an argument against the very provision to which I now object, he pointed out how, during the six years ending with 1869, when French animals were allowed to come inland, the import was 112,618; while, in the seven years immediately following, when, in consequence of the outbreak of cattle plague during the Franco-German War, France was scheduled, the import was only 24,095. In like manner the import from Belgium diminished 50 per cent from the same cause. I may be told that I am responsible for this diminution, but the principle on which Lord Ripon and I ordered cattle to be slaughtered at the port of landing was solely in order to prevent the introduction of rinderpest or cattle plague. We were obliged most reluctantly to enforce this restriction where we had reason to fear that without it the cattle plague might find its way into the country. But we were prepared to take any country out of the schedule, and we did so as soon as that fear was removed. If the present Bill passes as it stands, this discretion will be taken from the Privy Council, cattle will have to be slaughtered at the port of landing, and the import will be diminished whether there be danger from the rinderpest or not. Nothing can show the great anxiety of the producer to avoid this restriction, and, therefore, its probable effect on the import more clearly than an arrangement which was made between this country and Schleswig-Holstein. The Holstein animals are well-known to be a most desirable accession to our market as well as to European markets generally. I found that we could only preserve their import by allowing them to come inland under a complicated arrangement, by which the importers entered into a bond sanctioned by their Government that they would suffer no cattle to be imported into their district from other parts of Germany, or from any country contiguous to Russia. We were in like manner able to take Holland out of the schedule, because Holland was so anxious to keep up her trade with England that she actually passed a law prohibiting the import of all cattle. This brings me to the explanation of a fact with which the Secretary to the Treasury comforted himself as regards the present import from Holland. It had, he said, increased within the last seven or eight weeks as compared with last year. I can tell him the reason. Now that Holland is scheduled, and her animals are all slaughtered at the port of landing, she gains nothing by prohibiting the import of cattle. She has, therefore, repealed her prohibition, and the increase to which my hon. Friend refers is not an increase of Dutch cattle, but of German cattle, exported from Rotterdam and other Dutch ports. The facts with regard to Holland are these. In 1868, the import was 34,000 cattle. It grew until it amounted to 86,000 in 1876; but in 1877, owing to Holland being scheduled, it fell to 45,000. That was a trade which was growing, and which naturally would have increased, but which has been thus diminished. Then, as regards Denmark. The import from Denmark in 1870 was 8,000. It grew to 50,000 in 1877, and will, doubtless, continue to grow unless this provision be enacted, in which case it will most certainly decrease.

It is, indeed, impossible to deny that this restriction will diminish supply. I could illustrate my argument by many cases of special loss; not to weary the House, I will only take one. Mr. Leyland, one of the largest importers in Liverpool, told the Committee of the Lords this year that the loss to him on 140 Oporto cattle, which had been slaughtered at the port of landing, was £334, or 50*s.* per head. I have been trying to make a calculation of the probable diminution of supply if this provision be passed. I can only make a guess; but a well-informed gentleman whom I have consulted tells me my guess is most probably far under the mark. I put the diminution at 25 per cent. I think it very likely it may be 50; but take 25 per cent. I may be asked, what does that matter? when we import 600,000 cattle from Ireland—though, of these, it must be recollected only about 250,000 are fat cattle—and when the Returns show that we have 6,000,000 of cattle in Great Britain. Well, this diminution of 25 per cent in the Continental supply, at all events, matters this much—I have tried to turn it into meat, I have consulted the best experts I could find, well-informed butchers, I have asked them to bear in mind that the weight of the Continental animals is not, on the average, equal to that of the British, and I find that this 25 per cent diminution would mean a loss of supply of beef and mutton which would give 1,000,000 men ¾ of a lb. a-day for two months. And remember this, that a rise in the price of an article, especially if a necessary article, is not in exact proportion to the diminution of supply. Nothing is more clearly proved than that there is no rule-of-three in this proportion. In coal, for instance, the rise was very much greater than the diminution in supply. A very small diminution will, in fact, serve to create a very great rise; and remember, also, how necessary is the article with which we are now dealing. There is great—though, I hope, only temporary—depression throughout the Kingdom, and yet the price of meat does not fall. Are we to take measures to keep it up, or even to raise it still higher?

But I shall be told that this loss in supply will be much more than compensated for by the prevention of disease in these Islands, and the consequent increase of the home supply, and this brings me to my first proposition—that the home restrictions imposed by this Bill will not stamp out cattle disease. Let me ask, what are these diseases? The Secretary to the Treasury lumps them all together, but there is a great difference between them. My hon. Friend takes cattle plague or rinderpest and tries to frighten us by a description, of that terrific disease. But these home stamping-out restrictions and this foreign restriction with respect to slaughter have nothing to do with rinderpest. So far as that plague is concerned, these home restrictions and this foreign regulation leave matters precisely as they found them. At present, cattle which come from a cattle-plague country are not merely slaughtered at the port of landing; their importation is altogether prohibited. That is the action of the present, as it was of the late Government, and doubtless will be of any future Government. In fact, this slaughtering provision in question is not a cattle-plague provision, nor is it a pleuro-pneumonia provision. Pleuro-pneumonia is the disease next in point of fatality to cattle plague; but I do not think it will be argued that this provision against which I am contending would be proposed if pleuro-pneumonia had been the main subject of consideration. Sheep and swine are, as I have said, included as well as cattle; but sheep or swine neither catch nor communicate pleuro-pneumonia; nor could the Government have proposed the slaughter of animals from Spain and Denmark by reason of pleuro-pneumonia, when they are well aware that for many years past there has been no such disease in either of those countries.

I think, then, it will be admitted that this provision is really a foot-and-mouth provision. It is because of the foot-and-mouth disease that it is demanded. The strength and weakness of the Bill lie in considerations affecting that disease; and though it is but a dull matter, I must ask the attention of the House to some remarks respecting it, because upon it, in point of fact, depends the price of meat. With regard to this affection of the mouth and feet of animals, I will not attempt to determine how far it is injurious. The evidence greatly differs upon that point. Some farmers whom we examined seemed to think little of the disease. They even said they wished their cattle to have it and be done with it, while others went so far as to maintain that its ravages were worse than those caused by the cattle plague itself. This much, at all events, is plain—that it is very rarely fatal; while, upon the other hand, it throws back the animals, and injures especially milch and breeding cows, and the most valuable and high-priced stock. As to its origin there is much dispute. My own impression is, that it is of foreign origin; but that it was imported into this country, as well as pleuro-pneumonia, before 1842, when the importation of all foreign cattle was prohibited. But the question of its origin is now of no practical moment, and has merely historic importance. Nothing can he more clearly proved than the fact that both those diseases have become acclimatized, and are, in fact, home diseases. Professor Brown told us last year—

> "I do not believe that the prevalence of the disease has anything whatever to do, speaking generally, with its introduction from abroad."

Again, when asked—

> "Do you think that no stoppage of importation would affect to any great extent the present prevalence of these two diseases?"

Professor Brown's answer was—

> "I think that that point is as nearly as possible proved by the example afforded us in other countries."

I could multiply quotations to this effect both from him and Professor Simmonds.

I must now tell the House what are the exact present foreign regulations with regard to foreign cattle affected by this disease. They are the same as were originally put in force by Lord Ripon and myself—namely, that all Continental cattle are to be detained for 12 hours, and that if any one of them be found to have the foot-and-mouth disease, the whole cargo is to be slaughtered. I need not say that the same regulation applies to pleuro-pneumonia. Now, mark the difference between the treatment of foreign cattle and of home or Irish cattle. If any animal in a foreign cargo be found to be diseased, the whole cargo is, as I have already said, slaughtered; but if one-fourth, or one-half, of an Irish cargo be diseased, no animal is slaughtered, the diseased animals are detained, and the rest are allowed to go inland all over the country. In like manner, if a drove of cattle comes to Islington Market, a diseased animal is picked out, and the other animals are left to spread the disease, just as it may happen to be developed among them. Now, my belief is that our present regulation with regard to foot-and-mouth disease is quite enough to prevent its importation from abroad. I will challenge the supporters of the Bill to give any reasonable proof that since this regulation was enforced, the disease has been introduced anywhere in this country by a foreign animal. The official Returns show that the largest number of animals arriving here with this disease was in 1875-6; but Professor Brown, as a proof that the disease was not in consequence introduced into England, declares that, whereas it had been prevalent among us previously—

> "During those years the disease declined. The decline began in the latter part of 1875, and during 1876 it was common to hear this remark made—'The foot-and-mouth has left us; there are no cases in the country.'"

Bear in mind, also, that this is a disease which very quickly develops. The period of incubation is generally within 40 hours, and is never later than three days. The length of the voyage from abroad, therefore, together with detention, make the present regulation a safeguard. There can, I believe, be no doubt that it is sufficient; but I will admit that there would be some colour of argument in favour of the slaughtering provision in the Bill, if it were combined with such home regulations as would really stamp out the disease. If the disease were once stamped out at home, the farmers would have some ground to demand that its introduction from abroad should be rendered impossible. I believe the present regulation to be sufficient; but I should not be surprised at their then demanding the slaughter of all Continental animals at the port of landing. The one thing necessary, however, is the stamping out of the disease at home, and if that be not done

—and I believe it is not even attempted to be done—by this Bill, there is, I maintain, absolutely no excuse for this compulsory slaughter. Let us, then, consider for a moment how far it is possible to stamp out this disease at home. I could tell the House how, in my opinion, that object could be attained. If the Secretary to the Treasury had despotic power, he would probably be able to stamp it out in a year, and in this way. Let him simply do to cattle at home what is at present done with cattle from abroad; let him enforce the same regulation with regard to the home cattle trade as is at present enforced with regard to the foreign trade. If you slaughter the whole of an Irish cargo when one animal in it happens to have the disease, or the whole of a drove in an English market, or the whole of the animals on a farm, you would, I believe, before long get rid of the disease. This, too, would be fair and equal treatment as between the farmer, the importer, and the foreign producer; but, of course, no sane man would recommend this slaughter. To adopt such a course would be to raise a rebellion in the country. The slaughter of home cattle for foot-and-mouth disease is out of the question; nor, indeed, do I think it would be necessary. But, in order to stamp out this disease, this much, I think, is required—that you should have the rinderpest regulations, substituting isolation for slaughter. Professor Simmonds, as the House is aware, is almost the highest authority upon this matter. He is the principal of the Royal Veterinary College, and was for a long time the official adviser of the Privy Council Department, especially during the great outbreak of cattle plague in 1865. Now, listen to what Professor Simmonds said, on giving evidence before the Lords' Committee this year—

> "I think that the movement of all animals should be stopped in counties where foot-and-mouth disease exists—that is to say, that they should only move by licence in districts or departments which are free from disease."

At any rate, I feel satisfied that if those hon. Members who take an interest in the subject will look through the evidence which was given before the Committees, they will come to the conclusion that if we wish to stamp out foot-and-mouth disease at home, the least we could do is—1st, to divide the Kingdom into districts; 2nd, if there be an outbreak of the disease in a district, to prohibit the movement of cattle out of it; 3rd, to stop markets in the infected districts; and 4th, to detain and isolate all animals that happened to have come in contact with diseased animals, whether in farms, or at markets or fairs—and this, not for a few months, but, as Professor Simmonds says, for a period of four or five years.

And now, let me ask what it was that this Bill, when it was introduced in the House of Lords, proposed to do? In the first place, as regards the districts, on which everything depends, it merely recommended the declaration of an infected place—that is to say, that a cow-shed, or other place in which there was an outbreak of the disease should be declared to be infected, and that discretion should be given to the local or general authority to add to such infected place, if they thought fit, the "lands or buildings adjoining." Observe that the principle of the Bill, as regards home restrictions, is discretion vested in the Privy Council or local authority; whereas, with respect to foreign regulations, there is no discretion but an iron rule. Next, as to movement out of this infected place—it is prohibited first by the Schedule, and then discretion is given to the Privy Council to allow it; and it is evidently intended that this discretion should be used, because it is stated that its conditions are to be described from time to time by General Order.

I may be asked why I do not postpone these remarks until the House has gone into Committee on the Bill, when the restrictions may be made more stringent? My answer is, that there is no probability of that being done. The Bill, as it left the House of Lords, is much weaker than when it was first introduced. There was a Committee of that House, and such strong evidence was produced before it, especially from Ireland, that the Government found it necessary greatly to weaken the Bill. As it went into the House of Lords, markets were to be stopped for foot-and-mouth as well as for pleuro-pneumonia; as it came down to us, the provision with respect to the stoppage of markets declared by Professor Simmonds to be absolutely necessary is omitted, and the period for the isolation of the animals affected is reduced from

24 to 14 days. The Secretary to the Tresury says the Bill is the result of the labours of the Committee of last year. I would, however, remind the House that the recommendations of that Committee have not been adopted. Let me read the last of those recommendations. It is as follows:—

> "And your Committee are of opinion that no further restrictions should be placed on the importation of foreign animals in respect to foot-and-mouth disease and pleuro-pneumonia, unless, at the same time, orders be enforced throughout Great Britain, that in every district where either pleuro-pneumonia, or foot-and-mouth disease exists, and which has been declared by the Privy Council to be infected, all movement of cattle be prohibited, except under licence; that fairs and markets be under similar restrictions, and that absolute prohibition of movement be enforced against infected farms for periods varying from two months in pleuro-pneumonia to 28 days in outbreaks of foot-and-mouth disease."

I am sure it will not be denied that the "district" thus recommended is a very different thing from "the infected place" mentioned in the Bill. Discretion is given to the Privy Council to allow the movement of cattle; there is no stoppage of the markets, and, as I have already stated, the period of isolation for the foot-and-mouth disease is fixed at a fortnight instead of a month. There is another recommendation of the Committee which is not carried out in the Bill—namely, "that stock exposed in Islington Market should not be allowed to leave the Metropolitan district alive." That was thought to be necescessary, if disease was really to be stamped out; but it appears the Government have found it impossible to enact such a provision. Now, I do not blame them for thus permitting the Bill to be weakened. I do not complain either of the alterations made in the House of Lords or of the want of efficiency in their first proposals, and for this reason—that I believe, as regards this matter, the remedy may very easily be worse than the disease. That is the result of my experience when in Office. In 1865 Sir George Grey attempted to introduce a Bill with respect to the foot-and-mouth disease, but it was not supported. The first legislation with regard to this disease was in matters for regulation in the Bill which I introduced in 1869. We then made in that Bill regulations for preventing the exposure of infected animals at fairs and markets, or their carriage along the highways; but we gave power to the local authorities in different counties to issue stricter regulations with the sanction of the Privy Council. There was an outbreak of the disease throughout the country, and many counties asked for these regulations; but so great was the difficulty in enforcing them, and so many of the counties asked for their repeal, that we found ourselves obliged to discontinue them. The Committee of 1873 went with the greatest care into the whole question, and came to a conclusion, with which I must trouble the House. They said—

> "Many witnesses have been examined with regard to this disease, especially as to its recent prevalence in Great Britain and Ireland, and their opinions have been conflicting, both as regards the amount of loss it causes, and the measures which should be adopted for its diminution. Some agriculturists have recommended very stringent measures, such as the stoppage of all fairs and markets, and of the movement of animals except by licence, as during the prevalence of the cattle plague. On the other hand, there has been evidence of much weight, both by agriculturists and by professional witnesses, tending to show that such enactments would meet with strong opposition, and would be difficult—if not impossible—to carry out. Your Committee have come to the conclusion that it is hopeless to attempt to extirpate, or even materially to check, this disease unless the above-mentioned stringent measures are strictly enforced; and they also believe that such enforcement would require a costly and numerous staff of inspectors, an amount of supervision by the central authority, which would excite much local opposition, at any rate, in Great Britain, and such an interference with the home trade in animals, as would affect prices, and would induce not only the consumer but the producer to consider the remedy to be worse than the disease."

I may be told that last year the farmers gave much stronger evidence in favour of stringent measures than they did in 1873. Let me read to the House Professor Simmonds's explanation of this fact; it is the last quotation with which I shall trouble it. Professor Simmonds was asked if, in spite of the evidence which had been given before the Committee of the House of Lords, he still adhered to the opinion that regulations such as he desired to see enforced would not be submitted to? His reply was—

> "I think there are some individuals to be found who would readily submit to regulations such as have been made mention of; but with regard to agriculturists as a whole, looking at small farmers, looking also at stock dealers, I do not think that they would be submitted to by these classes, and especially by stock dealers. It

is well-known with regard to stock dealers, that with many small farmers the stock upon their farms belong not to the farmer absolutely, but to the dealer; and I do not think either of them would submit to any regulations which would interfere with their carrying on their trade."

Again, nothing could be stronger than Professor Brown's evidence, both in 1873 and last year, with respect to the impossibility of carrying out those restrictions; and here, may I ask, why Professor Brown was not called by the head of the Department, of which he is the adviser, this year? Well, that which was originally proposed in the Bill has been made less, and I would venture to say that what is left will not be carried into effect. It is folly to talk of stamping out this disease, unless there be complete isolation of all animals which come in contact with those which are affected by it. Can that possibly be done? Is the Government prepared to detain all Irish cargoes in which even one animal is found to be affected? Let us consider for a moment the case of the Islington Market. If a diseased animal be discovered there, will it be possible to detain and isolate all the other animals? Could this regulation be acted upon in the case of Ballinasloe Fair?

The real truth of the matter is this—that the regulations as proposed originally in the Bill were insufficient; that they have been made much less so by the House of Lords; and that what is left of them will not be carried out. Surely, then, I am justified in saying, that although those restrictions were not—I am prepared to admit—intended to be a sham, they yet will be a sham. And am I not then equally entitled to add, that though protection was not the object of this slaughtering provision, it will nevertheless be its result. If the home restrictions be utterly ineffectual to stamp out disease—and I think I have proved that they are—then this restriction on foreign importation will not affect the disease, and the Bill will become a measure of pure protection. Now, is the present, I would ask, a time to pass such a measure of protection? Is meat so plentiful, and prices so low, that this step can be safely taken? Almost all the co-operative societies—composed, as they are, of the *élite* of the working classes—have petitioned against the Bill, and what answer can the Government make to them? They are well aware that the official Returns show that, from 1870 to 1877, in the case of Denmark, Norway, Sweden, Portugal, and Spain — five countries unscheduled at this moment—no cattle plague has been known to exist. No cases of contagious disease have occurred in Norway. There has been no pleuro-pneumonia in Denmark, Sweden, or Spain; and only three animals with that disease are stated to have arrived from Portugal in 1875. And as regards the foot-and-mouth disease, all those countries are much less affected by it than either England or Ireland. I think I have shown that the present regulation is a sufficient safeguard; and, so far as Denmark is concerned, I have a letter from the gentleman to whom I have already alluded, telling me that throughout this year there has not been in that country a single outbreak of infectious disease. What answer, then, has the Government to make to those Petitions? What right has the Government to interfere with countries which are more free from cattle diseases than our own?

The Secretary to the Treasury has, with great fairness, anticipated the only other remark I would make, and that is that the proposal to which I object was not originally the Government proposal. But my hon. Friend has not answered his own argument, and therefore he must allow me to read it. In the draft Report to which his name is affixed occurs the following passage:—

"On the other hand, the proposal to continue the freedom of importation from countries now unscheduled was justified by the evidence of many witnesses as well as the official Returns, showing that those countries practically enjoy immunity from disease."

Again—

"That from Sweden and Norway, Denmark, Spain, Portugal, and America, importation should be permitted as now, subject only to inspection at the port of debarkation."

My hon. Friend has altogether failed to answer this argument, though he has, he says, since arrived at a different conclusion, chiefly on the ground of the necessity of making the restrictions uniform and consistent. Well, but as the Bill was originally introduced they were uniform, and the United States were included; whereas now the United States are excluded, and very properly so, from the operation of the Bill. We have heard a good deal of the dead meat trade from America; but its increase is as nothing compared with the live meat trade, and it would have been most unreasonable if the United States and Canada had been included under the operation of the Bill. I have no doubt whatever that before the measure leaves this House the Government will gladly consent to omit the five countries now unscheduled; but this concession I ought at once to state will not, and ought not to, satisfy myself or those who agree with me on this question. Our contention is that the Government of the day ought, on its own responsibility, to deal with this matter. It would, in my opinion, be absurd to take away the discretion from the Privy Council, and after excluding from the Bill those countries which are clean now, to pass a law based on the changing circumstances of the hour, and to declare that countries now supposed to be infected should be treated as if they must always remain so. In conclusion, I have merely to say that I regard this as a question of so much importance that I think the opinion of the House ought to be taken upon it, and I therefore beg to move the Resolution which I have already read.

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "in the opinion of this House, the slaughter at the ports of landing of all fat cattle from the Continent would restrict the supply and increase the cost of food, and should therefore not be made compulsory under all circumstances by Act of Parliament,"—(*Mr. William Edward Forster,*)

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

Colonel KINGSCOTE complained that the right hon. Gentleman should have tried to make this question—which was one purely for the consumer, although, no doubt, the producer was affected in some degree—a question of protection. He had had a seat in that House for 26 years, and, although nominally a county Member, his constituency included a large mining and colliery district in the Forest of Dean, and a populous manufacturing population in the neighbourhood of Bristol. He never gave but one pledge in his life, and that was for Free Trade; and his first vote in the House was given in favour of that principle, and he would be ashamed to turn from that now without surrendering the trust confided in him. What they wanted was not protection against the foreigner, but protection against disease. The official inquiry which had taken place had shown the necessity for some such measure as that before the House; and the amount of loss sustained by the country from rinderpest, pleuro-pneumonia, and foot-and-mouth disease, was appalling. Mr. Fleming, late of the Royal Engineers, and an eminent veterinary surgeon, showed in his book, published in 1875, that in one preceding year the money lost to the country had been £13,000,000; and out of this vast sum that due to foot-and-mouth disease bore a larger proportion than was generally supposed. It had been said that high-bred cattle were more susceptible of disease than common-bred cattle; but his own experience and observation led him to take a different view, the conclusion he had arrived at being that it was the poorer sort of stock that suffered most. It was admitted that disease in cattle had caused enormous loss to this country; and we ought to ask ourselves whether the time had not come when we should really try to get rid of it? With regard to foot-and-mouth disease, he felt sorry that the severer home restrictions of the Lords' Bill had not been continued in the present measure, believing, as he did, that they were necessary, and that the farmers were prepared to submit to almost any restrictions, however severe they might be, if they were protected from disease coming from abroad. He had no doubt that if proper restrictions were put on the movement of cattle with regard to markets they would soon stamp out foot-and-mouth disease, as they had stamped out rinderpest; and, therefore, he should like not only to see the provisions of this Bill carried out, but if it went even further in the way of restriction than it did. With respect to Irish cattle, there could be no question that a great deal of foot-and-mouth disease came from that country, and he should like to see more stringent regulations laid down as to the inspection of stock both at the port of embarkation and at the port of debarkation, as well as with regard to the disinfection of ships by which cattle were carried. Any additional expense which the more stringent regulations might entail on the producers would be more than made up by the enhanced prices which increased confidence in the soundness of the stock would induce purchasers to pay for it. He should be glad also to see more attention given to the development of the dead meat trade; and he believed that it would yet come to develop itself in a far greater degree than people generally supposed. Dead meat was sent from Aberdeen and America, and why should it not be sent from Spain, Portugal, and other places? There was room for development in this direction. It might be asked, why had the dead meat trade not developed itself? There were several reasons for that. Salesmen, middlemen, and corporations all had an interest in the matter, and helped to prevent its development. He should sooner see everything slaughtered at the port of embarkation than at the port of debarkation. The experiments which had already been made in that direction showed what could be done; and if it had fair play it would soon become largely extended, and be attended with great advantages. He regretted that America and Canada were struck out of the Bill, as he feared that in America, in the absence of any veterinary inspection and restrictions, disease in cattle, especially pleuro-pneumonia, was making great and rapid strides, and that we should sooner or later have it brought over here. As for quarantine, it was a necessary evil, if a temporary one, and would have to be endured till the farmers grew cattle enough to supply our wants; at any rate, he hoped it would be effective. It had been said that countries with so little disease as Denmark, Spain, and Portugal ought not to be scheduled in the Bill. He did not, however, share that opinion, bearing in mind that "a little leaven leaveneth the whole lump." Disease came from all directions, and the consumer, not the producer, was to be thought of first. The chief thing was to keep out disease, or it would overrun the whole country. He was convinced that the farmers would submit to any restrictions if they felt confident that disease would be kept out of this country. He had great respect for Professor Simonds, who held a contrary opinion, and whose opinions had been quoted on that point by the right hon. Gentleman the Member for Bradford; but he must say that he looked on the hon. Member for South Norfolk (Mr. Clare Read) and also on himself as being better authorities as to the feeling of the farmers than Professor Simonds could be. For himself, as President of the Royal Agricultural Society, he had had opportunities of meeting farmers from all parts of the Kingdom; and he was certain he was not saying too much when he stated that they would put up with restrictions if they could only have confidence that disease would be prevented from entering this country from abroad by requiring foreign cattle to be slaughtered at the port of landing. He was satisfied that that measure, instead of enhancing the price of meat, would tend to lower it, because the farmers and producers of this country would breed more cattle when they had every security that disease would not be introduced from other countries. In conclusion, he had great pleasure in supporting the second reading of the Bill.

MR. KAVANAGH said, the subject was one of very great importance, not only to the constituency which he had the honour to represent, but to the whole of Ireland; moreover, it was a question in which he had for many years past taken a great interest. As a whole, he liked the Bill; but there were points in it which he disliked of too serious a nature to allow him to give the measure an unqualified support. He liked it because it adopted the principle of dealing with England and Ireland in the same way, and because it dealt with the cattle plague in a very efficient and vigorous manner. He liked it also because it practically placed pleuro-pneumonia in the same category with cattle plague; and, therefore, afforded a hope that by vigorous treatment the pestilent disease might be got rid of. Although he approved of the three main principles of the Bill, he could not go so far as to say that he approved of all means of carrying them out. The first point he should touch upon was that brought before the notice of the House by the Resolution of the right hon. Member for Bradford (Mr. W. E. Forster). That Resolution at once exposed a very grave error in the Bill, and that was the attempt to make what he might call too stringent a law, and by doing so to relieve the Privy Council of the responsibility which it ought to bear and to deprive them of the discretionary power which they ought to possess. He thought that no one would deny that where cattle plague existed immediate slaughter should be enforced by law, and that in the case of countries where disease existed importation should be stopped. He did not think that there were two opinions in the country on the subject; but he did think that it was a very great question, indeed, whether such a course would be correct where no cattle plague existed. He quite agreed with the words contained in the Resolution of the right hon. Member for Bradford, that the slaughter at the ports of landing of all fat cattle from the Continent would restrict the supply and increase the cost of food, and should, therefore, not be made compulsory under all circumstances by Act of Parliament. It was necessary that full discretion should be left in the hands of the Privy Council on that point. On the one hand, circumstances might arise under which it would be necessary that all cattle should be slaughtered and importation stopped; but, on the other hand, to make it a permanent and universal rule would be unwarrantable. They had to face a steadily increasing consumption of animal food in the great centres of trade; and having regard to that, and the fact that there was a yearly increase in the price of meat, it was of the greatest importance that they should not attempt to restrict supply except in cases of the very sternest necessity. He was afraid that the Bill, as at present drawn, would do that. Under the Bill fat cattle only could be imported and slaughtered; but store cattle might be sent alive broadcast throughout the country after 14 days' quarantine. That he considered a very grave fault. No one of much experience in the cattle trade would deny that the importation of live stock was the most fruitful and dangerous source of infection that the country could well have, yet 14 days' quarantine was to be the only safeguard. No one could state how long the germ of the cattle plague might be dormant before the disease actually appeared. He would commend to the consideration of the Government the suggestion made by Mr. James Caird, in his letter to *The Times* of the 22nd instant. The right hon. Gentleman the Member for Bradford had worded his Resolution in a very wise and very moderate manner; and he hoped the Government would see their way, if not to adopt the Resolution, at least to alter the Bill and carry out its principles. If that was not done, he was very much afraid that if the Bill became law, it would produce more harm than good. Of the provisions contained in Clause 21 for dealing with pleuro-pneumonia he heartily approved, as he believed it was quite possible by vigorous action to stamp out the disease, and that the stock owners of Ireland were prepared cheerfully to acquiesce in any regulations, however severe, which would bring about that desirable object, although they were very much opposed to vexatious and useless measures which would not attain the end desired. He had very great objection, indeed, to the clauses referring to foot-and-mouth disease, not because he underrated the mischief which that disease did. He would be glad to be convinced that it was possible to deal with foot-and-mouth disease, and stamp it out; and it was because he did not believe that, that he objected to the clauses as being vexatious and useless. Foot-and-mouth disease was most insidiously infectious. Infection had been carried by streams of water, birds of the air, foxes and hounds, rabbits and hares—in fact, any animal passing over an infected district might carry infection with it. It broke out on farms where there was no apparent cause for infection. With these facts before them, legislation was exceedingly futile. He hoped it would be admitted that Irish farmers were not unreasonable in asking that the Bill should be modified, and their opinion should have some weight with the House, as cattle formed the staple of their wealth. In Ireland the number of cattle was 3,996,027, valued at £51,948,251; in England, without Wales, the number was 3,979,650, valued at £51,735,540, showing considerably in favour of Ireland. He would give another statement, including Wales, and would contrast the rental of England and Wales with that of Ireland, which would give the House a better idea of the value of cattle in Ireland. The value of cattle in England and Wales was £59,746,000, and the rental of England and Wales was £109,335,000. In Ireland the value of cattle was £51,948,251, and the rental £17,800,000. This showed that Ireland would suffer much more severely than England from any loss by disease among cattle; and he hoped, when they came to deal with the Bill, they would take this fact into account. The last point to which he would refer was Part IV. of the Bill, which dealt especially with Ireland. He had already stated that he regarded the fact that the same legislation was dealt out to the two countries as one of the most valuable features in the Bill. He thought it was clear that the people of Ireland could not, with any reason or justice, ask the English people to do away with the inspection of their cattle at the ports of landing—which was the most detrimental restriction that could be imposed upon the cattle trade—if they were not prepared to adopt the same safeguards against the spread of disease that were adopted in England; and, therefore, he must ask the House most clearly to understand that in advocating that there should be no further legislation with regard to foot-and-mouth disease, he was not asking for a special exemption with regard to Ireland. What he urged he urged for, and, as he believed, in the interests of both countries; and it was with the object of having perfect similarity of both law and action that he considered that part of the Bill was faulty, as he did not think that, as the veterinary department was now constituted in Ireland, it would be possible for them to have such an efficient system of inspection as would ensure that every case of pleuro-pneumonia would be immediately detected. There were very few veterinary surgeons in Ireland, and it was not everyone who could tell the disease; and cases might arise and pass unnoticed which might spread infection far and wide, and render restriction in other places practically useless. He would, therefore, have much preferred that the responsibility of working the Bill should be given to the Privy Council here, because they had a large number of properly qualified veterinary surgeons at their command, of whose services they could avail themselves in cases where local professional men could not be obtained. No doubt this would materially increase the cost of working the Bill; but in a question of such vast importance too much stress ought not to be laid on the extra expense, even though the whole of it should fall on Ireland: and he thought Her Majesty's Government might consider whether it would not be just and fair that some portion of the increased expense should be charged upon the Consolidated Fund. It was for the interest of Ireland as well as of England that this Bill should become law, and that its provisions should be uniformly carried into effect throughout the Kingdom. He hoped, therefore, that the Government would not shut their ears to all the suggestions which hon. Members might make with a view to the improvement of the measure.

DR. LUSH thought the Government must admit that there was much to be said in favour of the Amendment, and that those who supported it were quite justified in doing so, even if they were also disposed to vote for the second reading of the Bill. He was of opinion that the direct effect of several clauses in the Bill would be an advance in the price of meat. If reliance was placed upon the dead meat market in this country, that must be the consequence. The hon. and gallant Member for Gloucestershire (Colonel Kingscote) said the remedy was to be found in the increased supply of dead meat; but they were not certain that the supply would be kept up. In his opinion, there was an inseparable connection between the prevalence of these diseases and neglect. The whole district which he came from was supplied from Bristol; and it was the universal opinion in that neighbourhood that the spread of foot-and-mouth disease arose from the neglect, the filth, and the distress of the animals in their passage from the port of embarkation to Bristol. Steps ought to have been taken by the Privy Council, which possessed elastic powers, to put a stop to such a state of things before so stringent a measure as that now under consideration was introduced. He did not, however, object to many of the clauses in the Bill.

MR. WILBRAHAM EGERTON said, that there was no other disease which deterred breeders of stock so much as foot-and-mouth disease. At the time of the last two great outbreaks, in 1872 and 1875, there were in Cheshire 63,604 animals attacked in the former year, and 61,568 in the latter. As that meant a loss of from £3 to £5 a-head of the animals attacked, it also meant a loss of some £300,000, not only to the county of Cheshire, but to the country at large, because the animals were affected not only in their milking, but in their breeding properties. If it could be proved that the legislation proposed would have the effect of materially diminishing foot-and-mouth disease in this country, that alone would amply compensate us for the loss of any additional animals we might get from abroad for the supply of meat. The first great increase in the price of meat dated from the first great outbreak of cattle plague in 1865, when meat rose from 3*s.* 6*d.* to 4*s.* 6*d.* per stone. He did not see why the slaughter of animals at the ports should raise the price of meat. According to *The Journal of the Royal Agricultural Society*, only 96,000 animals last year came alive into this country from the Continent, which were not slaughtered at the ports; and while the average price of beef in 1876 was 6⅝*d.* per lb., in 1877, instead of increasing, as it ought to do according to the theory of the hon. Gentleman in consequence of the shutting out of animals from abroad, it fell to 6¼*d.* The same thing was true of mutton. In 1876 the average price of mutton was 7½*d.* per lb.; in 1877 it was 7*d.* Therefore, it was quite clear, from our own experience, that the slaughter of animals at the ports of entry would not raise the price of meat. The importation of dead meat in 1876 was 788,973 cwt.; but during last year it was 1,279,649 cwt., and we had every reason to believe that the supply of dead meat from America was practically inexhaustible. There were 29,000,000 cattle in the United States; and, considering the price of meat in New York, the Americans would take good care to supply us as long as our markets were at their present prices. The price of meat depended much more on freedom from disease at home than on free importation from abroad. According to Mr. Gamgee, from 1714 to 1770, when we had an entirely open trade, we had disease introduced from abroad, and scarcity followed. From 1770 to 1840, when the import was stopped, we had an increase of food; and from 1840 to the present time we had nothing but one continued succession of cattle diseases and the devastation of our pastures. Mr. Caird argued that as not more than 1½ per cent of our cattle died from disease, it was not worth while to exclude an unlimited supply of cattle from abroad. That was an unfair way of putting it. It was not a question of the number of animals that died, but of the number, especially from foot-and-mouth disease, whose breeding powers were diminished, and thus the number of animals bred in the country were diminished. Another point urged by Mr. Caird was, that we had better leave things as they were in the hands of the Privy Council. But we could not go on leaving things as they were. Last year cattle plague broke out, and we had the most stringent orders issued by the Privy Council, and carried out in every case that was necessary by the local authorities, who suspended the sale and traffic of cattle throughout the country. The result was an extraordinary immunity from disease for the time. But the Privy Council would not be justified in keeping up that state of things unless in case of plague, nor would the farmers be satisfied with such stringent regulations unless absolutely required for the prevention of disease. He had endeavoured to show that it was necessary to keep out disease, more especially foot-and-mouth disease, by stringent regulations at home; but agriculturists would not be satisfied unless equally stringent regulations were adopted to prevent its introduction from abroad. That was what they wanted. It was not true that we had no disease from France, Spain, and Portugal; in 1875 foot-and-mouth disease had constantly appeared among the animals from those countries, and they could not be certain that at some time or other the disease would not be imported from them. There was very little disease in the country at present; and it was easy enough to stamp out disease when it made its appearance at first, or on a very small scale; but when it reached any height it was most difficult, if not impossible, to stamp it out. He had always insisted, whenever the disease appeared, that the farm should be isolated and the disease stamped out. It was when the disease reached fairs and markets that it became most serious by interfering with internal traffic. He thanked the Government for having brought forward this Bill, which would be received by agriculturists with satisfaction and gratitude.

MR. WHEELHOUSE said, that a penny added to the price of a pound of meat in the borough he represented practically meant no less than from £150,000 to £175,000 a-year as against the consumer. He quite agreed with the hon. Baronet the Secretary to the Treasury, who introduced the measure, when he said that it was nearly entirely a consumers' question. He knew that there must be two varying interests pulling exactly in opposite directions, and it was most desirable, in the balancing of these interests, to see which was really the preponderating power. He was aware that for years past butchers' meat had been gradually rising in the market, from one cause or other, until now it was nearly 50 per cent higher than it was eight or 10 years ago. It therefore became a most serious question in the feeding of a borough containing 300,000 people. It was not a question which affected Members of the House, who could pay anything that the butcher chose to ask; but it was a most vital question to the vast wage-receiving populations in the large towns of this country, which were often too apt to be overlooked in inquiries such as that. Speaking in the fulness of his heart, he said it was of infinite importance to keep the meat supply of this country as cheap and as good as possible, so as to be easily obtainable by the wage-receiving classes. It was said that meat could be preserved in some bisulphate from the port of debarkation; but up to this time the wage-receiving classes had not been very much in the habit of being compelled to eat meat which had been cured in that way. There would be prejudices, if they chose to call it by that name, against it. It was also said that meat could be carried fresh even from the Colonial towns. He believed that in winter such a thing might be possible; but in times like these, when meat for a town like Leeds, almost equi-distant from sea to sea, came a journey of 50 to 70 miles, and had laid on the butchers' stalls, it must be very much deteriorated. It was very well known that in the dead meat trade, in consequence of inspection by the officers having supervision of the market places, the whole stock might often be in peril of condemnation, and certainly, if really bad, the meat could not be too speedily destroyed. What was there, absolutely just now, requiring any change in the state of those laws in existence, and which for a length of time had been continued? The regulations in force were amply sufficient for the purpose, and an enactment—a provision in a Bill such as this —was a mere idealism, and a piece of sentiment which would not advance this most important question one inch. The Privy Council had it in their power to stop the entrance of cattle from any country where they thought it necessary to do so, and there was nothing in the existence of present circumstances to demand more stringent regulations in reference to importation. Then, why not leave the matter in the hands of the Privy Council, or place a discretionary power somewhere, and not establish a hard-and-fast-line, making fish of one and fowl of another, giving power to bring in cattle for some purposes almost without quarantine, admitting others with quarantine, and for other purposes prohibiting live cattle altogether? If cattle were admitted at all, surely it was right to admit them from Denmark, Norway, Sweden, or any of those countries which were not subject to cattle plague or foot-and-mouth disease. Especially take the case of Denmark, where it was well known there was a veterinary inspection of every head of cattle exported, and another inspection was made upon the landing of the cargo here. Surely, with precautions such as these, there should be no fear; and if fear did exist, it was because the Privy Council had not thought fit to carry out the regulations and the laws, the exercise of which would have been sufficient to stamp out disease the moment it made its appearance. The idea of subjecting absolutely to slaughter all cattle brought into the Realm was, he would venture to say from evidence given before the Committee, utterly unnecessary, and very unwise. Was it the intention to stop all the foreign cattle trade, or not? If such was the intention, it should be stated. He had no wish to go through all the statistics quoted on the one side or the other; nor could he treat it as a farmer's question on one side, or a meat salesman's question on the other. What the House should look at was what was best for the large mass of our population, especially our wage-earning classes. That it could be reasonable, just, or sensible, dealing with the large constituencies in the North of England, to run the risk of having the meat supply condemned on its arrival at the market he denied absolutely. If all foreign cattle were killed at the port of debarkation, the result would be an immediate rise in price, and a risk, greater or less according to circumstances, of the meat being tainted before it reached the table. He had passed a considerable time among the wage-earning classes of the country, and for years he had had as much experience of the wants and circumstances of agricultural life as most people, and he was able to say it was not the sparsely and thinly-populated country, with here and there a village, and now and again a town, which would be half as much affected by this measure as the large commercial and manufacturing populations. According as the prices rose and fell this question was serious —vitally serious—to our large industrial populations in manufacturing towns, where even the rise of a halfpenny in price might mean prohibition as to some part of the food obtainable for the support of growing lads, females, and children. He felt this strongly; and sorry as he was to oppose anything brought forward by Government, yet, in the interest confided to his charge, he did not hesitate in saying that the slaughter clauses of the Bill must have his strongest opposition.

Mr. ARTHUR PEEL, as a Member of the Committee of last year who attended all its sittings, desired to say there were many parts of the Bill which, in common with other Members of that House, he would be glad to see passed, and he would be sorry if any opposition on his part were considered to apply to the whole of the Bill. But the whole sting of the Bill lay in the 5th Schedule, which had reference to the slaughter of cattle at the port of embarkation. It had been said, as an excuse for bringing forward the Bill, that the Privy Council had been unable to meet the exigencies of the time, and he had endeavoured to ascertain how it was that the Act of 1869 had been found insufficient. Professor Brown said he conceived it was entirely impossible that the Act should have had any effect in checking pleuro-pneumonia, because he had not heard of an instance in which its provisions had been carried out with reference to dairies in great towns, and the exposure of animals in fairs and markets. So far from having exceeded the legislative provisions of the Act of 1869, there were plenty of legislative materials we could take advantage of, and which could be usefully employed in stamping out disease. It was admitted that the discretion of the Privy Council had been, on the whole, fairly exercised in reference to rinderpest, and that they had proved themselves capable of dealing with a great emergency as it arose. This was a question between home produce and foreign produce; and he should like to state the material facts of the case. In England there were, roughly speaking, about 4,000,000 head of cattle; and eliminating all that would not be fit to be brought to the butcher within a year, he calculated that only 1,000,000 of these would be consumable meat within the year. The number of foreign stock imported in 1876 was about 270,000 head; and after making the proper deductions of cows for milch purposes, he estimated that the foreign cattle import of 1876 bore to the whole cattle yield of England alone for that year the relation of 25¼ per cent. The actual figures were — English cattle, 4,076,000—one-fourth of which was 1,019,000; the foreign import was 269,798; and, with the proper deductions for store stock, the proportion was 25¼ per cent. The Secretary to the Treasury spoke with great positiveness as to the fact that all three diseases —rinderpest, pleuro-pneumonia, and foot-and-mouth disease—were imported diseases. This was not borne out by the evidence of Professor Brown and Professor Simonds; and it was a well-known fact that foot-and-mouth disease existed in this Kingdom in 1839, and pleuro-pneumonia in 1840, while both diseases had, according to Professor Brown, attained to a very considerable degree of prevalence in this country before 1842. They were, therefore, located in this country at a time when the importation of foreign cattle was entirely prohibited, and they ought to be cautious in asserting that all the supplies of these diseases were introduced from foreign parts alone. Before the Committee last year, and again now, great stress was laid upon the dead meat trade. They would all rejoice to see the extension of that trade; but it could not be said that it was an established trade. Yet they were told, when they were going to sweep away the importation of live stock, they should rely on the importation of dead meat. For instance, they were going to cut off a healthy country like Sweden without the possibility of being able to retrieve their position except by another Act of Parliament. There had been great insistence as to the necessity of uniformity of regulations; but was there uniformity of treatment in this Bill in the case even of the several parts of the United Kingdom? Was there uniformity in the case of Ireland? What precautions did they take with regard to the importation of disease from Ireland? It appeared that in 1876 the enormous number of 600,000 cattle and calves was imported into England and Wales from Ireland, and, including sheep, lambs, and swine, the astonishing total of 1,860,000 was imported into this country from Ireland in 1876. What was the state in which cattle sometimes arrived in this country? What provision was made that the Irish cattle should arrive in a healthy condition? He had no intention of treating Ireland as a foreign country; but he did say this—that it did seem to be a strange thing that they were so anxious to exclude cattle from healthy places like Sweden and Norway, and have no scruple in admitting, with reckless disregard of ordinary precautions, cattle from Ireland, many of them in a deplorable condition. The evidence in the hands of hon. Members showed that diseased beasts were landed from Ireland on the west coast of England, and found their way to the east, perhaps affecting all the interlying districts through which they were taken. Much had been made of the fact that in consequence of the diseases now under consideration there had been a great diminution of stock in this country; and that was a statement which required very careful sifting, because if the diminution of stock could be traced to those diseases, there were very strong reasons why we should take precautions to exclude them. Mr. Caird, however, did not take that view, but rather regarded the falling off as being due to bad seasons, which threw the strain of expenditure upon the cattle, which the farmer, to meet it, was forced to send to market. But what were the precautions taken in this Bill with regard to Ireland? And what about uniformity of treatment? This Bill did not afford uniform treatment, and would operate unfairly. What was the necessity for this Bill? Was there any true necessity for it at all? At all events, it would operate unfairly; and, if he might not say that free trade was concerned, he should at least say that freedom of trade was being interfered with. If it were true that there was a diminution of stock in this country owing to these diseases, it might be reasonable to suppose that in those counties most affected by it the greatest diminution of stock would occur. That, however, was not the case; as in three of our counties where disease was reported most violent the stock had increased 3 per cent, and in a fourth county 4½ per cent. In considering this subject, it should also be remembered that there had been many years in which, in countries from which we received supplies of cattle, no cattle disease existed, save such as could be eradicated with comparatively little trouble. He objected to this particular Schedule of the Bill, because he considered it to be unnecessary; because it would interfere with the freedom of commercial intercourse; and because, if it were to pass, the House would have to look back upon a piece of legislation, the main effect of which he believed would be to diminish the supply, and possibly to raise the price of meat 1½*d.* per lb.

MR. HARCOURT observed, that as the constituency which he had the honour to represent took a great interest in the question involved in the Bill before the House, he could not reconcile it to himself to give a silent vote on the subject. The question really involved in this Bill was whether they gained more from the import of live stock, or lost more from the import of foreign disease? There was a great quantity of evidence in reference to it which was not to be found in Blue Books and was, therefore, not available to many hon. Gentlemen. There were no public statistics available to show what losses the country sustained year by year, month by month, week by week, not merely from deaths, but also from deterioration of stock owing to diseases, which it was perfectly possible to stamp out. Take, for example, what was considered the most mild of all the cattle diseases, because it did not cause death—namely, the foot-

and-mouth disease. He was aware that the Irish witnesses had said that the foot-and-mouth disease did not signify; but, as they all knew, there was a great deal of poetry in the Irish nature, and it was, therefore, necessary to examine the facts upon which they found their conclusions. Those hon. Members, who had taken the trouble to examine the Irish evidence offered before a Committee in "another place," would remember that when one witness, who had made light of foot-and-mouth disease, was asked if fat cattle, suffering from the disease, underwent any loss in value, he admitted that they might be depreciated to the amount of £2 a-piece. Well, that was really very much below the mark; but, taking the statement as it was, that meant a loss to a man who owned 200 head of cattle of £400, and it meant a loss of £400 worth of food to the people. The witness was next asked whether cows in milk suffered any depreciation in value when they were afflicted with foot-and-mouth disease? The answer was—"They certainly lost their milk." Here, again, was a loss to the proprietor, and a loss of the food of the people. The third question was—Did breeding stock suffer from foot-and-mouth disease? The answer was—"Yes." The breeding powers of animals so affected were impaired; and yet the conclusion drawn was that foot-and-mouth disease in Ireland did not signify. This was a way of arguing which no hon. Member had a right to make use of, unless he had first proved his nationality. If the House would allow him, he would mention what happened to himself. Last year he had a flock of 350 breeding ewes, and amongst them he placed six rams. These, unfortunately, were affected with the foot-and-mouth disease, and consequently he was disappointed of two-thirds of his expected crop of lambs. Now, those were the sort of instances which never appeared in any public Reports, and which very greatly diminished the food of the people. He calculated his own personal loss at £200, and the loss to the public in the matter of loss of food was not less than £600. He had purposely taken an instance of foot-and-mouth disease, as the disease which was considered the most innocuous. Of course, the losses, unknown to the public, sustained by growers and consumers in consequence of more fatal cattle diseases, were very far greater. He was there to maintain that the country lost very far more from imported disease than it gained from imported live stock. The farmers were quite willing to submit to the most stringent regulations at home, on condition of obtaining protection from foreign disease; and it was perfectly clear that, unless protection from foreign disease was given, it would be most unjust to impose stringent regulations at home. The object of the farmers was not to obtain higher prices, but to obtain immunity from disease. It had been said that the proposed Bill would increase the price of the food of the people. It had been said that it would deprive the people of that portion which was called the fifth quarter. It was quite true that great disturbance of price always accompanied any great commercial changes; but it was equally true that the markets very quickly found their own levels again. Where the demand was large, the supply always rose to meet the demand; and where the demand increased, prices adjusted themselves to the demand. Therefore, if there was a demand for dead meat, depend upon it there would be a supply of dead meat; and, if there was a large demand for dead meat, depend upon it dead meat would become cheaper. Now, as to the fifth quarter, he must ask if the interests of those small portions of urban communities, which fed upon offal, were to be placed in the scale for one moment in opposition to the interests of the nation at large? He wished the Government had gone much further; he wished they had instituted a dead meat market from abroad, pure and simple. Where there was quarantine there must always be a fear of infection. They could not slaughter the persons who attended upon the quarantined cattle; and, therefore, infection was always liable to be spread from quarantine ports. He was, however, content to accept the present Bill as an instalment of what he thought would prove a most useful piece of legislation, and should therefore vote for the second reading of the Bill.

Colonel WALKER said, he should vote for the Resolution of the right hon. Gentleman the Member for Bradford (Mr. W. E. Forster). He looked upon the measure as a most wasteful one, in that it would lose to the poor people what had been called the fifth quarter of the ox—he alluded to the offal—and that it would also prove to be a measure to protect the agricultural interests of the country as against the consumers. At the present moment the country was free from disease, and he, therefore, considered this as a very inauspicious moment to bring the question before Parliament. At the cattle market last week, in the town which he represented, there were 800 head of foreign cattle, and he did not believe that they had been the means of causing any disease whatever. This Salford market was held weekly, and on the average there were in it every market day 3,160 fat cattle and 12,200 sheep, which were for sale as food within an area comprising portions of the counties of Lancaster, York, Chester, and Derby. The value of the land and buildings of this Salford cattle market was more than £47,000; and while it was contemplated to compensate farmers for the compulsory slaughter of their beasts under certain conditions, no compensation seemed provided for the loss to be sustained by a Corporation owning a large market. His own view was that the Privy Council had already sufficient powers to prevent the importation of diseases into the country; and he wished that they would exercise those powers, instead of asking the House to accept a Bill which would deprive them of means which were already at their disposal.

MR. MUNTZ said, that the observations of the hon. and gallant Member for Oxfordshire (Mr. Harcourt) were founded on two fallacies. The one was that all disease came from foreign countries; and the other that it was possible, by legislation, to stamp out these diseases. There were many good and useful clauses in the Bill; but the proposal with regard to the slaughter of imported cattle was calculated to excite great bitterness of feeling in the country. It was absurd to suppose that disease was more prevalent in foreign countries than in their own. It had been his lot to live a great deal in foreign countries, and he ventured to say that there was more disease in the 9,000,000 of cattle in this country than in the 40,000,000 in France, Germany, and other countries. All these diseases were well-known in this country before foreign cattle were imported. It had been said that the farmers in this country would not breed cattle; but the fact was that many of them were so hard up that they were obliged to sell their cattle to enable them to pay their rents. It was, therefore, next to impossible for them to increase their stock. He maintained that the cattle plague was really the spotted putrid fever. It came, it was said, from Russia, where it was indigenous because of the bad way in which the cattle there were housed, and that it broke out in London, in 1865, as a consequence of the same cause; but there was no attempt to prove the statement that it came from Russia at that time, although it was imported in 1871 and 1877. The fact was, the farmers, instead of being allowed to take care of themselves, were induced to look to the Government to take care of them, and that the Government could not do. As to sheep, it was thought that they got the foot-rot from foreign countries, but it was, in truth, an epidemic. Let them take a few Southdowns and put them down in Leicestershire, they would have foot-rot in six weeks. Pleuro-pneumonia had become indigenous also as a species of consumption among the highly-bred short-horns, which could stand nothing, which had succeeded the old long-horns, which could stand anything. They could not stop this disease from breaking out so long as the world existed. It was as foolish to suppose that this disease could be suppressed altogether by the means proposed in the Bill as that measles, scarlet fever, and other maladies peculiar to the human race could be put an end to by slaughtering the people who had them. It was equally a delusion to suppose that the price of beef or any other article could be reduced by preventing the importation of it. A very slight knowledge of business would convince them that the contrary was the case. The actual number of cattle kept in this country for other than dairy purposes was 2,500,000, the number imported 227,000, or 10 per cent. Every man knew that if we decreased the supply 10 per cent, the increase in price would be at least 10 or 15 per cent. If the supplies from Denmark, Sweden, Norway, Spain, and Portugal were cut off, it would be impossible to foresee the result; and in the present state of society, with trade bad and the people uncomfortable and discontented, it would be very dangerous to bring about any considerable rise in the price of meat. The Bill, it was commonly said, was a step towards protection; and if it was not advocated on false pretences, it was, at all events, brought in in order to give effect to a mere theory. He maintained that disease was generated in the country, and that they could not prevent it by legislation, and that they ought not to attempt to do so by restricting the importation of the food of the people. To do that would bring about a great deal more of discontent than at present existed.

Mr. RITCHIE, as a Member for a large working class constituency, wished to say why he intended to vote for the second reading of the Bill. He should do so in the interests of his constituents, as he believed that it was, in the main, desirable that some Bill of the kind should be passed which would have the effect of cheapening the food of the people. He was satisfied that it would not produce the result suggested by the hon. Member for Birmingham (Mr. Muntz), or he would not vote for the second reading. The Bill would have from him no more than a modified support; and though he agreed with much that the right hon. Gentleman the Member for Bradford (Mr. W. E. Forster) had said, he hoped that they would not accept a Resolution that would necessarily be fatal to the measure. The right hon. Gentleman had directed his arguments against one portion of the Bill; but probably every one would acknowledge that that part of the Bill relating to the internal regulations to be observed would be likely to prove beneficial, if only it were separated from the provisions for slaughtering animals at the port of debarkation. On that latter point the restrictions of the Bill might be easily modified in Committee, and, indeed, if it reached the Committee, he should vote for some such Amendment and for the exclusion from the Schedule of some of the countries mentioned. That, however, was not the same as voting against the principles of the Bill, which were that certain regulations for the internal movement of cattle should be made, and that it was necessary to slaughter a certain proportion at the port of debarkation. In his opinion, those principles, if not too much restricted, would lead to the cheapening of meat. They had chiefly to consider the cattle plague and the foot-and-mouth disease. Now, the Bill made no changes with respect to the cattle plague, as the powers of the Privy Council were already as full as they would be under the Bill; while so infectious was the disease that the slaughtering of cattle at the port of debarkation would not make matters safe. There was good reason to hope that the best means of coping with the cattle plague were now known; therefore, the more important problems were those connected with the foot-and-mouth disease and pleuro-pneumonia. The evidence taken before the Committee showed that the supply of food in this country suffered enormously from the prevalence of foot-and-mouth disease. In 1872 nearly one-half of the cattle and one-sixth of the sheep in the country were affected with foot-and-mouth disease. One witness estimated that he had lost in 20 years between £30,000 and £40,000 through that disease. The consequence of that state of things was that many breeders had entirely given up breeding. The number of live stock in the United Kingdom had decreased, since 1874, 5 per cent in cattle and 7 per cent in sheep, or considerably more than all the importation of foreign animals which we had received. If, therefore, the normal increase of our live stock had not been checked by foot-and-mouth disease and we had had no importations from abroad, we should still have been in possession of more live stock than we now had. If foot-and-mouth disease could be stamped out, that would tend to cheapen the food of the people. That Bill dealt not only with importation from abroad, but with the movement of cattle at home. The producers in this country were willing to come under internal restrictions for the purpose of eradicating disease, provided they could be protected from the introduction of disease from abroad. If restrictions of that kind were enforced, they had the evidence of the case of Denmark to show that the foot-and-mouth disease could be eradicated. Moreover, when the heavy restrictions were imposed against the cattle plague in this country the foot-and-mouth disease decreased enormously. It was said that the farmers themselves could put in force regulations of that kind to arrest the spread of foot-and-mouth disease; but the evidence adduced went clearly to prove that that could not be done by the separate action of particular districts or of individual farmers, but must be done with that uniformity which could only be secured by means of an Act of Parliament. Although he did not agree altogether with the provisions of that Bill as to the compulsory slaughter of foreign cattle at the port of debarkation, and thought that certain countries ought to be excepted from the operation of that clause, he still did not believe that the measure was fraught with the evils which some hon. Members apprehended. Even if the clause were enforced in its entirety, he doubted whether it would cause any rise in the price of meat, because the importation of live cattle from America would, he believed, enormously increase, and experience had shown that the trade in dead meat also from America was likely to become greatly developed. The right hon. Gentleman the Member for Bradford said the effect of the restrictions in 1877 was materially to decrease the importation of foreign animals into London. But it should be remembered that the supply of the home animals also fell off last year considerably. And with reference to sheep in the London market last year, notwithstanding all the restrictions as to slaughter, not only did the supply not decrease, but it positively increased by 3 per cent. There were other causes which tended to decrease the supply from abroad besides the regulations in 1877, otherwise how could one account for the fact that Denmark, against which no restriction existed, imported less cattle and sheep and swine than in the previous year? He thought if the provisions of this Bill were carried out entirely, there was no reason for supposing that the price of meat would be materially affected: at the same time, he thought it would be a hardship to slaughter all foreign cattle at the ports. In his opinion there was no necessity, as far as concerned Spain, Portugal, Norway, and Denmark, for slaughtering at the port of arrival. Germany, Holland, and Belgium would have to be dealt with by stringent measures; but the other countries mentioned in the Bill ought to be excluded from the operation of the measure in the same way as America and Canada. He would propose such a compromise when the Bill got into Committee; but, meanwhile, he would vote for the second reading.

MR. HUSSEY VIVIAN said, if he thought this Bill were a measure of protection under disguise he would, as a free trader who had always voted straight upon that question, oppose the second reading of the Bill. He thought that at the ports of arrival proper places should be provided in which the animals imported might be kept without deterioration. There could be no reason for forcing those animals on a market which was not prepared for their reception. It should be made compulsory upon the local authorities to provide proper yards for the reception of cattle, and by that means any disadvantage from slaughtering at the port of entry might be got rid of. He had great faith in the dead meat trade, and it was remarkable how the importation of dead meat from America had increased within a short time. It began with a shipment of 24,340 lbs. in October, 1875, and in March, 1877, no less than 5,797,817 lbs. were shipped from New York. The delivery from Chicago to Liverpool cost 1*d.* per lb. The average price of good meat in Chicago was 2½*d.* per lb. gross, or 4*d.* per lb. net, and, therefore, the meat might be delivered at Liverpool at 5½*d.* per lb. He could not understand the argument of the hon. Member for Warwick (Mr. A. Peel), that by passing the measure a tax of 1½*d.* per lb. would be laid upon the people of this country. If he thought that any tax would be laid on the working classes by the measure, no power on earth would induce him to vote for the Bill. The American trade would continue to grow, and the country would in future be largely supplied from those markets. He could not, therefore, see how the meat supply of the country would be restricted. It was a monstrous assumption to say that it would. He thought the farmers of this country were right in demanding protection from imported disease; but he should be quite ready, when the Bill came into Committee, to vote for the exemption of certain countries in which it could be shown that no disease existed. He believed that disease was not indigenous to this country, and that if proper measures were taken it might be entirely stamped out. Even supposing the Bill did tend to reduce the importation of meat into this country, it would be very unwise, in his opinion, to endanger the 88 per cent of our home meat supply for a possible reduction, estimated by the right hon. Gentleman, of one-fourth, or the equivalent of 3 per cent of the 12 per cent which came to us from abroad. Indirectly, the Bill would probably be of great advantage in encouraging the breeding of cattle, which was now so much discouraged by the uncertainty attending it. He considered he was speaking largely in the interest of consumers when he said the Government ought to do all they could to protect the stock of this country against the introduction of foreign disease; and if proper arrangements for compulsory slaughter were made at the ports of debarkation they would not, in consequence, impose a farthing more on the cost of meat in England. On the contrary, his firm conviction was that by so acting they would greatly reduce the present charges.

Sir MICHAEL HICKS-BEACH congratulated the House on the fact that the discussion had not assumed a Party character. While the Bill was supported by the hon. Gentleman who had just sat down, there were several hon. Members on the Government side of the House who had expressed their intention of supporting the Amendment of the right hon. Gentleman the Member for Bradford. He (Sir Michael Hicks-Beach) only complained of one matter in the debate, and that was that it had turned too much upon a single point in a measure of a large and comprehensive character. The Bill proposed, in the first place, to consolidate the law in England, Scotland, and Ireland, relating to the contagious diseases of animals, which in itself was no light work. This meant a consolidation of eight Irish and two British Acts. By the Bill further powers were conferred upon the Privy Council, which were recommended some time ago by a Committee of the House, and other improvements in the law were proposed, which had received the general support of the right hon. Gentleman opposite (Mr. W. E. Forster), who had been so long acquainted with its administration. He (Sir Michael Hicks-Beach) did not think those could be considered matters of slight importance in forming a judgment whether the Bill was or was not entitled to a second reading. But all the discussion that evening had practically turned upon one provision of the Bill—namely, the proposal to enact by statute that there should be compulsory slaughter of all animals imported from Europe at the port of debarkation. Nothing could be further from the truth than to describe this as a proposal to revive protection. The right hon. Gentleman opposite (Mr. W. E. Forster) was kind enough to admit that he believed the object of the Bill was not the renewal of protection; but he added that, in his opinion, that would be its result, and he went on to express his sympathy with the agricultural interest of the country, which had lately been in so depressed a condition. But he (Sir Michael Hicks-Beach) might venture to tell him—as he thought he could claim some acquaintance with that interest—that whatever the agriculturists of England might do, they were not likely to come to that House asking for protection to their industry, as against the competition of foreign countries. All that they asked from the House was this—that consenting, as they did, for the sake of stamping out these terrible diseases, to severe restrictions, they should also receive at the hands of that House protection against the importation of diseases from abroad. He was very sorry the word "Protection" should have been introduced into the debate by the right hon. Gentleman opposite. His object, to use his own words, in employing that remark might not have been to set town against country; but he (Sir Michael Hicks-Beach) could not help feeling that when that debate was read some opinion might arise that the interests of town and country in respect of the Bill were not identical, and they might be unable to discuss the measure in future in the calm and dispassionate manner in which they had that evening. It was no question whatever of Free Trade or Protection, because no one would venture to say that free importation of cattle from abroad was a possibility. They must subject cattle imported from foreign countries to certain restrictions when those foreign countries were subject to disease. It was admitted on all sides that the importation of cattle from countries where the cattle plague existed must be strictly prohibited. The difference in respect to the present Bill was not one of principle but one of detail. The right hon. Gentleman (Mr. W. E. Forster) admitted the necessity of the prohibition with respect to the cattle plague, and he (Sir Michael Hicks-Beach) was not quite sure that the right hon. Gentleman would not admit the necessity of some stringent measure with respect to cattle coming from countries where pleuro-pneumonia existed. The right hon. Gentleman shook his head; he drew the line at the cattle plague, and declined to consent to any further safeguards against the importation into this country of pleuro-pneumonia or foot-and-mouth disease. The proposal contained in the Bill was not merely the proposal of the Government. They had felt in this matter that the interests of the producer and consumer were identical; and that, looking to the large proportion of the meat supply of this country which was produced at home, the best way to secure the increase of, and consequently cheaper supply of, meat was to encourage its production at home by every means in their power, and especially by stamping out and keeping out disease. But the proposals which the Government had laid before Parliament in order to carry out these views were based upon the recommendations of a Select Committee of the House. That Committee was appointed last year upon a Motion partly framed, he believed, by the right hon. Gentleman (Mr. W. E. Forster), couched in these terms—

> "To inquire into the effect which the importation of live foreign animals has upon the introduction of disease into this country and upon the supply and price of food."

That Committee conducted a thorough and searching inquiry into the questions submitted to it. It was a very numerous and thoroughly representative Committee, composed of Members from all parts of the United Kingdom, town and country interests being alike represented. The point in the Bill which they were now discussing was based upon the Report of that Committee, so far as the Government felt able to give effect to it. The right hon. Gentleman (Mr. W. E. Forster) objected to that Report, and referred to the Committee of 1873—a Committee over which he presided, and which adopted a Report prepared by himself. He saw no reason why the right hon. Gentleman should claim priority for the Report of that Committee. The Committee appointed in 1877 had before them evidence of the injury done by these diseases, gathered from facts which could not have been known to the Committee which sat in 1873. The Committee of 1877, having this evidence before them, felt that these diseases were of a grave and serious character. They attached what he believed to be proper weight to the importance of putting an end to them, if possible, and their recommendations were framed with that view. Now, what was their Report? They reported that it was abundantly proved in evidence that the ravages of cattle plague since the Act of 1869, and the diminution of breeding herds of the Kingdom from the fear of breaking out of the cattle plague, were as nothing compared with the losses inflicted and the enterprize checked by pleuro-pneumonia and foot-and-mouth disease. His hon. Friend the Member for Warwick (Mr. Arthur Peel) asked what was the reason for the measure? and he replied by the words which he had read from the Report of the Committee, to which the hon. Member did not venture to propose a direct negative. All that the hon. Member did was to suggest alternative words to the effect that "serious losses were inflicted and much enterprize checked" by the diseases to which he had alluded. But that Motion was negatived by the Committee by a majority of 16 to 5. The Committee went on in the following paragraph to say that witnesses of the greatest practical experience agreed that if immunity from these scourges could be assured beforehand, the increase of breeding herds would in a short time be large enough to make up any diminution of supply occasioned by new restrictions on imports from foreign countries. Well, he ventured to give these recommendations as reasons for the provision in the Bill. In another paragraph—paragraph 33—the Committee, having reported their recommendation of a statutory arrangement for compulsory slaughter at the port of debarkation and of stringent restrictions on the movement of stock in infested districts, added their conclusion that compulsory slaughter at the port of debarkation was not likely either to discourage foreign importation, to diminish the supply of large towns, or generally to raise the price of meat. The change, however, would be a considerable interference with the present system of trade carried on by butchers and salesmen. He believed his hon. Friend near him put the case very fairly to the House when he stated that the real opposition to the measure came from those whose personal trade interests would be interfered with. The right hon. Gentleman opposite (Mr. W. E. Forster) quoted from the evidence of witnesses who were interested in the trade, and made some complaint that a certain number of the Members of the Committee did not seem inclined to attach great importance to that evidence. He (Sir Michael Hicks-Beach) thought it right and fair that importance should be attached to trade evidence, whether it came from butchers or farmers; but he did not think it right that such matters should be decided merely according to the views of those whose trade interests were affected. If measures were to be decided solely on such evidence as that, he ventured to say the Factory Acts, which were now so popular, would never have been passed. Now let him refer to the two proposals which had been mainly discussed. In the first place, he would deal with the restrictions recommended to be applied to this country. The right hon. Gentleman (Mr. W. E. Forster) found great fault with the principles of the Bill on that head. He said they were insufficient for the purpose intended. Well, that was merely his own opinion. He (Sir Michael Hicks-Beach) preferred the Report of a numerous and representative Committee; and if the right hon. Gentleman (Mr. W. E. Forster) was not satisfied with the restrictions in the Bill as it now stood, it would be open to him to propose increased stringency in Committee, if he could prove that such an increase was necessary in order to stamp out these diseases. But, as a matter of fact, as had been already stated that evening, it had been proved that by restrictions of the nature proposed those diseases could practically be stamped out. In the years 1865 and 1866, when the restrictions for dealing with the cattle plague were in force, there could be no doubt of the beneficial effect which they had in stamping out minor diseases; and in 1877 the enforcement of restrictions for getting rid of the cattle plague unquestionably aided in diminishing pleuro-pneumonia and foot-and-mouth disease. But what were the objections to the compulsory slaughter of animals at a port of debarkation as proposed in the measure? The right hon. Gentleman (Mr. W. E. Forster) said the slaughter at ports of landing of all fat cattle would restrict the supply and increase the cost of food. With regard to the increased cost of food, he thought they should remember precisely what was proposed. It was not proposed to slaughter, or attempt to provide for the slaughter of, any animals exported from foreign countries at the port of exportation. It was not proposed to attempt to compulsorily substitute a dead meat trade for the live meat trade. All that was proposed was, when animals were landed in certain defined ports in the country, they should not be moved alive from those places. The right hon. Gentleman (Mr. W. E. Forster) spoke a good deal about the effect of enforced sales under such stringent rules; but nothing was said in the Bill as to any time within which an imported animal should be killed. An animal, when landed, could be kept a day, two days, or more, before being killed, just as it would best suit the market to which it had been sent. He might mention some facts to the House which would show, at any rate, that the position of the right hon. Gentleman the Member for Bradford, that the cost of meat would be increased even temporarily by this measure, were really fallacious. He did not think that even the right hon. Gentleman the Member for Bradford argued that there would be any permanent increase. But if the compulsory slaughter of cattle prevented the importation of disease from abroad, and proper restrictions stamped it out at home, surely there would be an increase in the breeding from the home stock, which, in a few years, and possibly very much sooner, would far outweigh any loss from importations from foreign countries. But to take the argument of the right hon. Gentleman, that for a time there might be a loss on the importation, and consequently increased prices, what had actually happened in this respect? He found that during the year

1877 the importation of cattle was absolutely prohibited from Belgium and Germany, except Schleswig-Holstein. The result was that the foreign imports were 43,000 less than during the previous year. Yet what was the result? The right hon. Gentleman (Mr. W. E. Forster) had said that a very large proportion of this foreign importation went to the London market. He did not think that the right hon. Gentleman paid quite sufficient regard to the increasing amount of dead meat which also supplied the London market; but, at any rate, the effect of a change of that kind, if felt anywhere, would be felt in London. But what was the result? While the price of beef was 5*s.* 1*d.* per stone in the Metropolitan Meat Market in the previous year, it was 5*s.* 2*d.* when importations from the countries he had mentioned were prohibited, and that was all the increase in the price of food from the loss of 43,000 cattle. But it was by no means certain that by the enforcement of compulsory slaughter at the ports of landing the supply of animals would be restricted. He could quote from the Report of the Veterinary Department of the Privy Council for the year 1877 some curious facts bearing on that point. He found that sheep from Germany were made subject to compulsory slaughter at the port of debarkation in January, 1877. He found that the number of sheep imported, under that restriction, from Germany, during the year 1877, was 477,566; while, in the previous year, without such restriction, the number was 315,619. These figures, at any rate, did not point to a decrease of the supply of animals from abroad through compulsory slaughter. Then, a great deal had been said about the Petition from Southampton. It was urged that for several years there was a large importation of cattle from the South of France; but, on the issue of the Order from the Privy Council for compulsory slaughter at the port of landing, the supply altogether ceased. What were the actual facts? He had a Return for 10 years, beginning with the year 1868, of the number, not only of cattle, but of sheep, annually imported into all the ports of the United Kingdom from France, and the extraordinary variations in number could not possibly be accounted for by any alterations in the Rules of the Privy Council as to compulsory slaughter. He would take the years 1868-9. At that time the right hon. Gentleman (Mr. W. E. Forster) was Vice President of the Council, and the importations of cattle from France in 1868 numbered 5,747; while, in the next year, for no reason that he was aware of, the number was increased to 21,508. In 1872, when the cattle imported were subject to compulsory slaughter, the number sent from France was only 682; in 1873, it was 742; in the year 1875, under the same regulations, the number had risen to 9,025; whereas, in 1877, again, under the same regulations, it fell to 2,804. Then take the case of sheep. The order for compulsory slaughter at the port of debarkation having been in force for the first seven months of 1872, ceased in August of that year. During that year 21,000 sheep were imported; whereas, during the whole of 1876, when the importation was perfectly free, only 977 sheep were imported. He, therefore, did not think any argument against compulsory slaughter at our ports could be drawn from the falling-off in the French imports, although he admitted that when the compulsory slaughter of animals was first introduced there was likely to be an interference with the existing trade. But then the Southampton petitioners argued that, because they considered that trade in cattle with France had been stopped in this manner, therefore, the same thing would happen to the trade with Spain and Portugal. He ventured to say that there was no comparison between the cattle trade between England and France and between England and Spain and Portugal. France, like England, was an importing country. It was no object for the French producers to export cattle to England which could be sold at home, unless they could secure an exceptionally favourable market in England. Therefore, they were liable to great fluctuation in the importations. But Spain and Portugal were not importing countries. They were, necessarily, exporting countries, because they bred a much greater number of cattle than they could possibly consume; and, therefore, the trade would not be interfered with by small inconveniences as in the case of France. Spain and Portugal must find a market for the cattle which they produced, and would not be deterred from sending their cattle here by compulsory slaughter. But what he had said applied, of course, entirely to the variations of trade under the existing system. Hitherto the Privy Council had been enabled, from time to time, to issue Orders for the compulsory slaughter of imported cattle. He ventured to argue that even if it were proved that that system had diminished the imports, there was no reason why the same result should follow from the provisions of the Bill. It had been stated that serious losses would be sustained at the markets if statutory arrangements for compulsory slaughter were made. But it was perfectly obvious that if the importers, exporters, and trade generally, were aware that such an arrangement would be the invariable rule, they would be induced to invest their money in providing the necessary accommodation for the slaughter of animals, and would make arrangements for a dead meat trade, which they now had no inducement to enter into, seeing the uncertainty to which they were subject. That, he thought, was a strong argument in favour of making compulsory slaughter uniform for imports from all the countries of Europe. The right hon. Gentleman (Mr. W. E. Forster), in the remarks he made, had alluded to the extent to which the dead meat trade was now carried on. It was well known that something like 175,000 tons of dead meat a-year were sent from Scotland, Cornwall, and elsewhere, to the London markets. It would be equally possible to send dead meat to the inland markets from the ports of debarkation, after compulsory slaughter, as it was to bring it to London from other places now. When his hon. and learned Friend the Member for Leeds (Mr. Wheelhouse) and his hon. and gallant Friend the Member for Salford (Colonel Walker) talked of the difficulties which would be thrown in the way of their constituents procuring meat if this Bill were adopted, he thought they must have forgot not only this possibility, but that their real supply came not from foreign sources, but from the home producer. There was only one more point to which he wished to refer. It had been objected to the provisions of the Bill, that the enactments as to compulsory slaughter at ports of entry were statutory, while that was not the case as to the enforcement of regulations at home. The object of that was obvious. In the first place, if these restrictions should attain their desired object, they would only be temporary in their operation; and, when a district was unaffected, they would not be applied. If, after a time, as was hoped would be the case, these diseases were stamped out by the enforcement of the regulations, there would be no further necessity for imposing them. But, with regard to foreign imports, the case was different. He doubted if they could anticipate a period when, for any length of time, foot-and-mouth disease would not prevail even in the healthiest of the countries which had been named. It might be necessary to enforce compulsory slaughter continually, whilst the regulations under the Bill applying to this country would only be temporary in their operation. He believed that it was only by compulsory slaughter of animals from abroad, and by restrictions at home, that they would be able to get rid of other cattle diseases, as they had the cattle plague. The right hon. Gentleman (Mr. W. E. Forster) thought that the remedy was worse than the disease. He would wish to see, at the most, power reserved to the Privy Council to order compulsory slaughter if necessary. The right hon. Gentleman, in the late Government, held the Office of Vice President of the Council, and from what he had told the House that night, it was perfectly clear, if at any time he returned to that Office, he would not be disposed to enforce what was believed by the best authorities to be necessary for securing that which was universally desired. It had been said, during the course of the debate, that, after all, the proposal for compulsory slaughter was insufficient, because, under another provision of the Schedule, animals might be admitted under quarantine for store purposes; and, therefore, as the danger of infection remained, the slaughter of fat cattle at the ports of debarkation was of no use. But those who had made that objection could hardly have read the provisions of the Schedule to which he had alluded. If they had, he thought they would have seen that the Schedule did not mention store cattle at all. It referred to dairy and breeding stock, and it was perfectly obvious, from the severe quarantine required, that the intention of the Schedule was practically to prohibit all importations, except in the cases of animals necessary for improving breeds, or imported under other special circumstances of that nature. It would be quite possible in Committee on the Bill so to amend the provisions of the Schedule as to make that perfectly clear. He would not trouble the House with any further remarks upon the measure; but he asked hon. Members to remember that that was a debate upon the second reading of a Bill which contained, as had been admitted by the right hon. Gentleman (Mr. W. E. Forster), many most valuable provisions besides that to which special exception had been taken by himself and others. The right hon. Gentleman had criticized that provision with great acuteness and great knowledge, and he (Sir Michael Hicks-Beach) had listened attentively to his remarks; but he could not discover that he made any alternative proposal whatever to secure that which surely he must have at heart—namely, the lessening and stamping out, if possible, of those diseases in this country. All that the right hon. Gentleman did say was, that he objected to the proposals which the Government had made. The Government had made those proposals upon the authority of an independent Committee of the House, believing them to be well calculated to effect the object at which they wished to arrive—the cheapening of the food of the people by delivering the home-producer from disease. It was obvious that the details of those proposals must be subject to free discussion in Committee. But they asked the House now to affirm the principles on which the Bill was based; because they believed that these principles, so far from being in the interests of any particular class, were calculated to promote the welfare of the whole country.

Motion made, and Question proposed, "That the Debate be now adjourned."—(*Mr. Rathbone.*)

THE CHANCELLOR OF THE EXCHEQUER said, the debate would be resumed at the Morning Sitting on Tuesday.

THE MARQUESS OF HARTINGTON did not rise to make any objection to the proposal of the Government to take the adjourned debate at the Morning Sitting on Tuesday; but he thought the selection was to be regretted. He rather doubted whether it was usual to take a Bill of that sort at a Morning Sitting, when some hon. Members were engaged on Committees, and others, from various reasons, were unable to be present. He questioned whether it would be possible to complete the discussion in the limited time which would be at the disposal of the House at Tuesday's Morning Sitting, and he thought it was to be regretted that the Government had fixed the Contagious Diseases (Animals) Bill to be taken on that occasion rather than some other measure. While not raising any opposition to the proposal of the Government, he wished to point out the inconveniences it involved.

THE CHANCELLOR OF THE EXCHEQUER said, the measure was one which created a great deal of interest, and naturally so, and it was one upon which a large number of Members desired to express opinions. There were interests involved in the Bill on which many Gentlemen would feel they could not give silent votes; but he did not think they would be doing wrong in taking the earliest opportunity of proceeding with the discussion, and if not finished at Tuesday's Morning Sitting it could go on again on Thursday. He thought the Government would be running a risk if they postponed the discussion until Thursday, unless in the event of its not being finished on Tuesday. Therefore, the best course would be to go on with the Bill at Tuesday's Morning Sitting; and, although many Gentlemen would not be able to be present all the time, no doubt all would be in attendance before the conclusion of the debate, and be able, if they chose, to take part in it.

Motion *agreed to.*

Debate *adjourned* till *To-morrow,* at Two of the clock.

PUBLIC HEALTH (IRELAND) BILL.

(*Sir Michael Hicks-Beach, Mr. Attorney General for Ireland.*)

[BILL 199.] THIRD READING.

Order for Third Reading read.

MR. MELDON desired to make a few observations which he thought were necessary before the Bill was read a third time. He must say that the

Attorney General for Ireland had, with great fairness, accepted a number of Amendments to the Bill; but the great weakness of the measure was the want of supervision for the sanitary system of Ireland. Without proper supervision it would be impossible to work these sanitary laws in Ireland. In England there was a complete net-work of Inspectors to see the laws properly carried out, and the same rule ought to apply to Ireland. At present the dispensary doctors were charged with seeing the law administered there, and no matter how anxious they were to do their duty properly, they were so hampered with local influences as to make it impossible for them so to act. Unless there was provision made for the appointment of special officers to see the law enforced the whole Act must fail. He knew that the state of Public Business was such as to prevent a proper discussion of the measure in that House. He had made the observations he had addressed to the House that night with the hope that when the Bill went to "another place," the point he had raised would be discussed, and such a clause inserted as would prevent the measure being a dead letter. He did not ask for a special system of supervision in Ireland, but that the practice which had worked so well in England might also be applied to Ireland. A large staff was not necessary to see that the sanitary affairs of Ireland were properly attended to. If the country were divided into four districts, with a Superintendent over each, that would be sufficient. He was quite sure that unless something of the kind was done, the whole Bill would prove a failure.

The ATTORNEY GENERAL FOR IRELAND (Mr. GIBSON) said, the important question of supervision was fully discussed by a Select Committee of the House, which sat last year on the subject. No one underrated the matter; but it must be regarded from a great many points of view. The Bill contained the necessary powers for providing supervision; but, of course, it remained to be seen whether that power was properly exercised. He did not think he would be able to get the sanction of the Treasury for appointing the Superintendents which the hon. and learned Member had spoken of, and hence he did not see his way clear to adopt the suggestion which he had made.

Bill read the third time, and *passed.*

PUBLIC WORKS LOANS (IRELAND) ACT (1877) AMENDMENT BILL.

(*Mr. James Lowther, Sir Henry Selwin-Ibbetson.*)

[BILL 219.] COMMITTEE.

Bill *considered* in Committee.

(In the Committee.)

MAJOR NOLAN complained that the appointments of governors of lunatic asylums, a matter with which the Government had promised to deal, was now mixed up with a dozen other questions. He desired to get from the Government a further promise that they would deal with the subject separately.

THE ATTORNEY GENERAL FOR IRELAND (Mr. GIBSON) said, the Government desired to deal with the question in a broad, fair, and liberal spirit. They had attempted to do so in the Grand Jury Bill which they had introduced. No one could suggest that the way in which the matter was dealt with was not a fair and reasonable one, and that it did not show an honest desire on the part of the Government to redeem any promise made by his right hon. Friend the present Secretary of State for the Colonies. As the Bill now before the House was a matter of urgency, it was desirable, in the interests of the asylums, that it should become law before the 6th of July.

Bill *reported,* without Amendment; to be read the third time *To-morrow,* at Two of the clock.

IDIOTS, &c. (IRELAND) BILL.

(*Mr. Arthur Moore, Mr. Meldon, Mr. O'Shaughnessy.*)

[BILL 149.] SECOND READING.

Order for Second Reading read.

MR. A. MOORE, in moving that the Bill be now read a second time, said, it simply provided for regulating and extending the power that already existed in reference to idiots.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. A. Moore.*)

MR. J. LOWTHER said, he had no objection to the second reading of the

Bill; but it would have to be subject to Amendments in Committee.

MR. MACARTNEY objected to the second reading of the Bill being proposed at such an hour. Many modifications were required in the measure, and if they were not accepted, he would oppose the Bill strenuously.

Motion *agreed to.*

Bill read a second time, and *committed* for *Friday.*

MOTIONS.

DRAINAGE AND IMPROVEMENT OF LAND (IRELAND) BILL.

LEAVE. FIRST READING.

THE O'CONOR DON, in moving for leave to bring in a Bill to amend the Law relating to the Drainage and Improvement of Land in Ireland, briefly explained the object of the measure. The hon. Member said, a difficulty had arisen in carrying out the present law with regard to drainage improvements. It required the assent of two-thirds of the riparian proprietors before any drainage works could be effected. Notices had accordingly to be sent to the proprietors concerned; but a great many of them, from absence and other causes, did not reply to the requests thus made to them. Therefore, it was found extremely difficult, if not impossible, to obtain the necessary assent before commencing the works contemplated. The Bill proposed that, if a majority of the proprietors should assent, the works might be carried out, unless absolute dissent should be expressed by one-third of the number. That was the principal provision of the Bill. The other clauses related to the serving of notices, and to other matters of minor importance.

Motion *agreed to.*

Bill to amend the Law relating to the Drainage and Improvement of Land in Ireland, *ordered* to be brought in by The O'CONOR DON, Mr. BRUEN, Mr. GRAY, and Mr. MACCARTHY.
Bill *presented,* and read the first time. [Bill 227.]

GOLD AND SILVER HALL MARKING.

MAJOR NOLAN moved—

"That the Select Committee on Gold and Silver Hall Marking do consist of Twenty Members."

MR. MONK inquired why so many as 20 Members were to be placed on the Committee? It was unusual to have so large a number on one Committee, and he thought the hon. and gallant Member ought to state why the ordinary practice had been departed from in the present instance. He presumed the Government had assented to the number being 20, which was considerably in excess of the number fixed by the Standing Orders of the House. In any case, an explanation was desirable.

MAJOR NOLAN offered an explanation. In the first instance, the Committee was constituted of a small number. The Government and the right hon. Member for Clackmannan (Mr. Adam) expressed a desire that the Irish Members should have one of their number placed on the Committee. From that time the strength of the Committee increased. Four or five Members were added to it, and thus the number was brought up to 19. This being an unequal number, it was suggested that another Member should be placed upon the Committee. The hon. Baronet (Sir Joseph M'Kenna), who had moved for the Committee, was then selected, the right hon. Member for Clackmannan (Mr. Adam), being quite willing that the hon. Baronet should serve. The Government, also, were consulted in the matter, and were asked to nominate a Member. The right hon. Gentleman the Chancellor of the Exchequer, who represented the Government in the House, replied that he had no interest in the appointment of the Committee; that he had no objection to the proposed addition; and that he left the nomination in his (Major Nolan's) hands, since he had taken so warm an interest in the subject.

Motion *agreed to.*

Ordered, That the Select Committee on Gold and Silver Hall Marking do consist of Twenty Members:—That Sir JOSEPH M'KENNA be added to the Committee.—(*Major Nolan.*)

ELDERS WIDOWS' FUND BILL.

On Motion of Mr. EDWARD STANHOPE, Bill to enable the Trustees of the Elders Widows' Fund to apply the capital of the said Fund in aid of Income; and for other purposes in relation thereto, *ordered* to be brought in by Mr. EDWARD STANHOPE and LORD GEORGE HAMILTON.
Bill *presented,* and read the first time. [Bill 226.]

House adjourned at One o'clock.

HOUSE OF LORDS,

Tuesday, 25th June, 1878.

MINUTES.]—Public Bills—*First Reading*—Public Health (Ireland) * (133); Prison Authorities Act, 1874, Amendment (134).

Second Reading—Inclosure Provisional Order (Orford) (127); Tramways Orders Confirmation (No. 1) * (130); Tramways Orders Confirmation (No. 3) * (128); Highways (South Wales) * (98).

Committee—Report—Tramways Orders Confirmation (No. 2) * (122); Local Government (Ireland) Provisional Order Confirmation (Artizans' and Labourers' Dwellings) (Cork) * (117); Local Government Provisional Orders (Belper Union, &c.) * (118); Local Government Provisional Orders (Bournemouth, &c.) * (119).

Report—Monuments (Metropolis) (No. 2) * (100).

Third Reading — Public Health Act (1875) Amendment (131); Pier and Harbour Orders Confirmation (No. 2) * (110); Truro Chapter * (112), and *passed.*

TRAMWAYS (USE OF MECHANICAL POWER) BILLS.

The Earl of REDESDALE moved that the Orders of the 4th of February last, and of the 31st of May last, which limits the time for the second reading of Private Bills, be dispensed with in respect to the Blackburn and Over-Darwen Tramways Bill; Glyn Valley Tramway Bill; Belfast Street Tramways Bill; Aberdeen District Tramways Bill; Boston District Tramways Bill; and Wallasey Tramways Bill; in order that the Bills be now read a second time. The noble Earl said, that a Select Committee had been appointed in the other House to inquire into the use of steam and mechanical power on Tramways, and these Bills had been kept back pending the Report of that Committee. The Report had now been made, and therefore it was not unreasonable that these Bills should, under the circumstances of the case, be allowed to proceed.

Motion *agreed to.*

Orders of February 4 and May 31 *dispensed with.*

Moved, "That the said Bills be now read 2ª."—(*The Earl of Redesdale.*)

Motion *agreed to;* Bills read 2ª accordingly.

The Duke of RICHMOND and GORDON said, it was very desirable, before their Lordships proceeded further with the consideration of these Bills, that the evidence should be before them which had been given in the Committee appointed by the other House. He, therefore, begged to move that a Message be sent to the other House of Parliament, asking them to furnish the House with the Evidence and Report of the Committee in question. It was necessary their Lordships should have the evidence before them; because these Bills, for the first time, raised a very important question—that of applying mechanical and steam power to tramways. They were Private Bills, and they proposed to enable the promoters to use steam on tramways, and the only power which was called into existence in the matter was the local authority of the place. These authorities might, where the tramway existed, or was to be hereafter made, use steam instead of horse power. Now, that was a very considerable alteration of the existing law, and the subject was one well worthy of their Lordships' attention. At all events, such a power ought not to be given without due consideration. He was far from saying these Bills ought not to pass, but he did think the subject was worthy of further consideration. In some of the towns it was believed that a nuisance would be created were the use of steam power to be permitted; and, therefore, it was quite apparent that it was a matter which ought to be thoroughly sifted. Since the Committee of the other House had reported, he understood the question had been adjudicated upon by one of the Courts of Law. In Swansea there was only power to use the tramways with horses; but the Tramway Company put on steam power, upon which an injunction was applied for to restrain them from committing a nuisance; and, he believed, though he had not seen the terms of the judgment, that it had been decided that a nuisance had been committed by the Company, and they had been restrained from the further use of steam power. He was told that one of the streets where the tramway was laid down, and where the steam power had been working, had only an available space of seven feet over and above the tramway; and that, their Lordships must admit, was a very narrow space in which to carry on the traffic. He begged to move that a Message be sent to the other House for the Evidence and Report of the Tramways Committee.

Motion *agreed to.*

PUBLIC HEALTH ACT (1875) AMENDMENT BILL—(Nos. 85, 106, 131.)

(*The Earl of Kimberley.*)

THIRD READING.

Order of the Day for the Third Reading, read.

Moved, "That the Bill be now read 3ª."—(*The Earl of Kimberley.*)

EARL DE LA WARR moved that the Bill be read a third time that day six months. He thought it was due to their Lordships that he should make a few words of explanation as to the course he was pursuing with regard to this Bill. When the Bill was lately under discussion in their Lordships' House, upon the second reading he proposed to refer the measure to a Select Committee; but hoping, as he then did, that some Amendments would be made which would remove the principal objections which were felt to the Bill, he did not ask the opinion of their Lordships' House. Inasmuch as these Amendments, with the exception of one that had been proposed by the noble Duke opposite (the Duke of Somerset) had not been inserted, and as he could not see that the principle of the Bill was in any way altered by any of the Amendments which had been agreed to, he proposed to ask their Lordships, under the circumstances, not to pass the third reading. When the measure was discussed on the second reading, the main objections were pointed out to their Lordships by those who were most intimate with the subject, and he should not further trouble them by recapitulating at any length those objections; but he might, perhaps, refer to the statement which was then made by the noble Marquess on the front Bench (the Marquess of Salisbury), who was not now in his place, who said that the effect of the Bill might possibly be to create very great difficulties, or rather to increase the existing difficulties. Reference was also made by a noble Earl opposite (Earl Cowper) in Committee to the persons who were in authority in rural sanitary districts as not being persons competent to undertake, or to be invested with the power which this Bill would give them. He thought it was, perhaps, one of the greatest objections that might be urged against the measure, that they were giving large powers over property to persons whose education and position in life hardly qualified them for the exercise of those powers. Under this Bill, powers were given to enable rural sanitary authorities to inquire into the circumstances of every cottage or house with regard to the necessary supply of water from a sanitary point of view. Now, he thought to deal with a question of that kind, it required a very different class of persons to those who would be invested with the power under this Bill. It required great discretion and great judgment to deal with such cases, and not only did this provision apply to existing cottages or houses, but a power was given to the rural authorities to stop altogether the building of new cottages, unless there was a sufficient supply of water—that was to say, a sufficient supply in the opinion of these authorities. Now, it might happen, and it did very often happen, that a cottage required to be built in an outlying rural district, where it might be very difficult to obtain what might be considered a good supply of water. Of course, it was open to opinion as to what was, and what was not, a good supply of water; but, under this Bill, they were giving power to certain authorities to altogether stop a landowner from building a cottage which he might think absolutely necessary for his estate. Surely, the matter of water supply was a case in which the landowner or proprietor was the best judge as to what was good, and what was not. It was in the interest of the landowner that the supply should be a good one, and to delegate the power of deciding this matter to other people might prove very objectionable. Then, there was the further important question which was connected with the general sanitary laws. In this Bill they were dealing with great and important questions in a piecemeal fashion. The Sanitary Acts had been under the consideration of the late Government, and he believed of the present Government also, with a view to see whether they might not be consolidated; and he believed he was right in saying that a Commission or Select Committee, in the other House of Parliament, had expressed an opinion that it would be very desirable to consolidate these Acts. This was an additional and very important reason why the further consideration of this question should be deferred. He begged to move that the Bill be read a third time that day six months.

Amendment *moved*, to leave out ("now") and insert ("this day six months.")—(*The Earl De La Warr.*)

The Earl of KIMBERLEY hoped their Lordships would not be dissuaded from passing the third reading of this Bill in consequence of the statements they had just heard. The alarms which had been raised respecting the character of the measure were unfounded. The Bill was one of very narrow limits, and those who objected to it could not have properly considered its provisions. The gist of the Bill was, that where a supply of wholesome water could be obtained for £8 13*s.* 4*d.*, it should be provided. It was no great hardship to require that to be done, and if the supply could not be procured for £8 13*s.* 4*d.*, then the Bill would have no effect whatever. That was the chief provision of the Bill, while, on the other hand, there was a protection to owners being called upon to incur this expense; because, if they thought waterworks ought to be erected at the expense of the entire parish, there was an appeal to the Local Government Board. A letter from a gentleman who took a great interest in this matter had been placed in his hands in which it was stated that if this Bill passed, it would prevent the construction of waterworks all over the country. That was exactly the effect he (the Earl of Kimberley) hoped the Bill would produce; for, in his opinion, there could be no more wilful waste of public money than for various little parishes, with a few houses scattered here and there, with water close at hand, to be put to the expense of erecting waterworks. In cases where water was wanted for a particular cottage, and which could easily and cheaply be supplied by the owner of the property, it would be a great evil to oblige the community to which the cottage belonged to construct expensive waterworks at the cost of the ratepayers. The noble Earl who had moved this Amendment seemed to think that the Bill interfered with the rural Inspectors, and conferred upon them some very novel authority. That was a mistake; Parliament had already given the rural Inspectors and sanitary authorities great powers; at the present time they had the power of condemning a water supply if the water was unwholesome, and of prohibiting its use. It was the positive duty of the Inspectors to condemn water that was unfit for use, and in this Bill a power would be given them, which they did not now possess, of providing a supply of wholesome water. They could not do that at present, even in the case where they deprived the cottagers of the only supply of water they had, by condemning and prohibiting its use. In such cases the occupiers of such places were put to great hardship. The measure would not work oppressively in any way, and he thought the measure was one which might very safely and usefully be passed into law.

On Question, That ("now") stand part of the Motion? *Resolved* in the *Affirmative*: Bill read 3ª accordingly, with the Amendment; and Bill *passed* and sent to the Commons.

INCLOSURE PROVISIONAL ORDER (ORFORD) BILL—(No. 127.)

(*Earl Beauchamp.*)

Earl BEAUCHAMP, in moving—

> "That the Order of the 5th of February last, which limits the time for the second reading of Bills authorizing any inclosure of lands under special report of the Inclosure Commissioners for England and Wales be dispensed with, with respect to this Bill, and that the Bill be now read a second time,"

said, that when this Bill was in the House of Commons, complaint was made that the Standing Orders of the House of Lords gave but little opportunity for the House of Commons to consider Provisional Order Bills; and this Bill had been, no doubt, delayed beyond the time prescribed by the Standing Order; but as the object of these Orders was only to give due notice to proprietors affected by the Bills, and that object had been even more fully attained by the discussion which had taken place in the House of Commons, he hoped the House would agree to his Motion.

Motion *agreed to;* Bill read 2ª accordingly.

PRISONS AUTHORITIES ACT, 1874, AMENDMENT BILL. [H.L.]

(*The Earl of Aberdeen.*)

BILL PRESENTED. FIRST READING.

The Earl of ABERDEEN presented a Bill to remove doubts with respect to the application to Scotland of "The Prisons Authorities Act, 1874." The noble Earl said, that, owing to certain doubts on the subject, obstacles had arisen north of the Tweed as to the advancement of money for certain purposes, and especially for the extension of the system of industrial schools. In England, the plan which had been followed had been found to be very satisfactory. He referred to the advance of large sums of money on the security of the county rates. This proceeding could not be undertaken without the authority and sanction of the Home Secretary under "The Prisons Authorities Act, 1874." Unless all doubts were removed as to the application of the Act to Scotland, this mode of advancing money, which he had referred to, could not be adopted in that country. He hoped, and believed that this Bill would effect the desired change in a simple and effective manner.

Bill to remove doubts with respect to the application to Scotland of "The Prisons Authorities Act, 1874"—*Presented* (The Viscount Gordon); read 1ª. (No. 134.)

House adjourned at a quarter before Six o'clock, to Thursday next, half past Ten o'clock.

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HOUSE OF COMMONS,

Tuesday, 25th June, 1878.

MINUTES.]—New Writ Issued—*For* the Borough of Flint, *v.* Peter Ellis Eyton, esquire, deceased.

Public Bills—*Second Reading*—Contagious Diseases (Animals) [204], *debate further adjourned.*

Referred to Select Committee—County of Hertford and Liberty of Saint Alban Act (1874) Amendment * [203].

Committee—Report—Elementary Education Provisional Order Confirmation (London) * [201].

Considered as amended—Innkeepers * [211].

Third Reading—Public Works Loans (Ireland) Act (1877) Amendment * [219], and *passed.*

The House met at Two of the clock.

QUESTIONS.

* * *

RAILWAYS—DEATH OF SIR FRANCIS GOLDSMID.—QUESTION.

Mr. ISAAC asked the President of the Board of Trade, If he has been in communication with the Directors of the South Western Railway Company with reference to the fatal accident to Sir Francis H. Goldsmid, Bart., M.P., on the 2nd of May last, and if he will be good enough to lay upon the Table Copies of all Correspondence on the subject?

Viscount SANDON: Sir, I have had communication with the Directors of the South Western Railway with regard to the melancholy accident referred to, and I shall have great pleasure in laying on the Table copies of the Correspondence, if my hon. Friend will move for them.

CRIMINAL LAW—CASE OF ELLEN HEESON.—QUESTION.

Mr. P. A. TAYLOR said, he had some reason to hope, from what he had read in the country papers, that the Question of which he had given Notice was now unnecessary. However, he should ask the Secretary of State for the Home Department, Whether he is aware that a woman named Ellen Heeson, who is at present lying in Chester Castle under sentence of death, had been temporarily respited to await her confinement; and whether, under these circumstances, he will advise Her Majesty to remit the capital penalty?

Mr. ASSHETON CROSS: Sir, the usual course which has been adopted by my Predecessors will be followed in this case.

THE MAGISTRACY (IRELAND)—ISLAND OF ARRANMORE.—QUESTION.

Sir JOSEPH M'KENNA asked the Chief Secretary for Ireland, Whether it is proposed to withdraw the Local Administration of Justice from the Island of Arranmore, on the coast of Donegal, where it has been established for many years, and to remove the Petty Sessions Court to the mainland, contrary to the wishes and to the serious inconvenience of the island population, numbering about 1,600?

Mr. J. LOWTHER: Sir, the proposal to which the hon. Gentleman refers, to withdraw the local administration of justice from the Island of Arranmore, is entirely in the hands of the magistrates. The Lord Lieutenant can only urge a re-consideration of the matter, supposing it is thought any inconvenience might arise. I have conveyed an intimation to the magistrates that I think, under the circumstances, it would be advisable, if they can see their way in so doing, to allow some time to elapse in order that the wishes of those personally interested may be consulted. I have not yet been made aware whether they intend to adopt that course.

ORDERS OF THE DAY.

CONTAGIOUS DISEASES (ANIMALS) BILL—[*Lords.*]

(*Sir Henry Selwin-Ibbetson.*)

[BILL 204.] SECOND READING.

ADJOURNED DEBATE. [SECOND NIGHT.]

Order read, for resuming Adjourned Debate on Amendment proposed to Question [24th June], "That the Bill be now read a second time."

And which Amendment was,

To leave out from the word "That" to the end of the Question, in order to add the words "in the opinion of this House, the slaughter at the ports of landing of all fat cattle from the Continent would restrict the supply and increase the cost of food, and should therefore not be made compulsory under all circumstances by Act of Parliament,"—(*Mr. William Edward Forster,*)

—instead thereof.

Question again proposed, "That the words proposed to be left out stand part of the Question."

Debate *resumed.*

Mr. RATHBONE: Sir, I am sure all those who listened to the debate last night must have been impressed with the great importance and difficulty of that subject, and the anxiety generally felt to approach it in a way to lead to its satisfactory settlement, and I think it worthy of the consideration of the Government that of those who, on either side of the House, spoke in favour of the Bill, I think I may say the majority ended by saying that they were going to vote for the alterations in it which those who support the Resolution of the right hon. Gentleman the Member for Bradford considered of most importance. One of these, the hon. Member for Glamorganshire (Mr. Hussey Vivian), in his very interesting speech, draws a most charming picture of the limitless flocks and herds that were to sail from America for my native town. I only hope he may be right; but I think he a little left out of account the dangers and losses which occur in even so short a passage, as that between Ireland and England, and which, in a 12 or 14 days' passage would be very much increased, to say nothing of the very greatly-increased cost of transit. The hon. Member went on to point out that we had only to lay out a certain number of acres of ground, to receive our welcome visitors, to enable us to accommodate large quantities of cattle for as long a time as was necessary to insure their profitable sale. But the circumstances of Liverpool and Chicago are very different. Chicago has plenty of land for this purpose. It is in a new country where land is cheap; whereas, in Liverpool, I think the hon. Member would have a difficult task to find any that could be devoted to such a purpose. I do not know where it could be found. In and near Liverpool, land is not sold by the acre, as in Chicago, but at high prices by the yard. Besides, the hon. Member forgets that the greater part of the cattle coming to Chicago are not intended to be sold as fresh meat, but are brought there to be slaughtered and salted. As my hon. Friend's knowledge of Liverpool appears to be of somewhat older date than his knowledge of Chicago, and as Liverpool is the principal port for the supply of the manufacturing districts in the North of England, I feel sure I shall not be considered as trespassing unduly on the time and patience of the House if I venture to bring before it the results of the experience of that port, and the opinions there entertained of the very important and difficult question before the House. I understand that the real question now before the House is not, whether compulsory slaughter should be applied to all places from which there is risk of rinderpest being imported into this country, but whether the discretionary power now exercised by the Privy Council should be taken away, and animals should be compulsorily slaughtered on arrival from those ports of Europe from which there is not any danger of cattle disease other than foot-and-mouth disease, while that discretionary power is left as regards the precautions necessary to be taken with respect to the home supply. I will, with the permission of the House, read a single short extract from a Memorial from the Conservative Corporation of Liverpool, signed by the Conservative Mayor, one of the ablest Leaders of the Conservative Party, and which, therefore, cannot be suspected of any Party prejudice against the Bill—

> "Your memorialialists have observed that it is provided by the Bill that foreign animals, except those intended for dairy or breeding purposes, or for exhibition, shall not be moved alive out of the wharf at which they are landed. If this proposed provision passed into law, your memorialists believe that much loss and inconvenience would be occasioned to the public, that the trade of the port would be unnecessarily interfered with, that no greater protection against the spread of disease would be afforded than at present exists, and that, during the hot weather, a considerable waste of food would be caused."

Thus, it will be seen that the Liverpool Corporation, which contains many men peculiarly qualified to form a sound opinion, consider that those provisions are unnecessary, and that they will occasion much loss, inconvenience, and waste of food. But I must quote another authority also. The Liverpool Steamship Owners' Association represent about one-third of the whole steam tonnage of this country, and a much larger proportion of the steam tonnage engaged in the cattle trade. I have presented a Petition from them, which, when printed, I would strongly commend to the attention of hon. Members interested in this subject for the valuable information and cogent arguments which it contains. I do not propose to weary the House by having that Petition read, but I trust the House will allow me to read a few very important paragraphs out of it—

> "That, if the said provisions of the said Bill were to become law, the effect would be to put an end to the importation of foreign cattle to this country from the ports aforesaid. The cost of the carriage, even with the smallest possible margin of profit to the carrier, is necessarily so considerable, that when added to the first cost of the cattle in the country of exportation, the total expense barely permits of the trade being carried on in competition with the home supply. If, then, this trade be hampered with further restrictions and expenses, it will be entirely destroyed. That, so far as regards the port of Liverpool, it would be quite impracticable to have all cattle landed and slaughtered on a foreign animals' wharf. The cattle arrive in too great numbers; there is not sufficient available space, and the steamships carrying them have to be unladen in dock, or at berths too distant from one another for such a regulation to be carried out. It is not proposed to compel the local authority to provide such a wharf. Nor, indeed, is it possible for the Liverpool Corporation—who would be the local authority under the said Bill—to provide it, as they have no land on the margin of the river Mersey or the port of Liverpool, and are not the harbour authority. They are not, therefore, in a position to 'provide, erect, and fit up wharves, stations, lairs, sheds, and other places for the landing, reception, keeping, sale, slaughter, or disposal of foreign animals,' proposed by the 38th clause of the said Bill. Even the harbour authorities have not the requisite spare land, all that is available for any purpose being required for dock accommodation. That the enforcement of a regulation for slaughtering cattle on landing is very objectionable for several reasons. It is often desirable that the cattle should have time, after a rough passage, before slaughtering, to improve their condition, and, in such cases, immediate slaughter would involve waste. In all cases, the result of slaughter on landing would be to throw the meat upon the market for immediate consumption, so that inland towns and places distant from the port of landing would lose the benefit of the supply, and importers would be placed at the mercy of dealers in meat carrying on business at the port of landing. Thus the trade would be destroyed, because it could no longer be carried on at a profit. Only a small proportion of the cattle brought by sea into Liverpool are at present slaughtered there. They are for the most part carried by railway to London, Manchester, Birmingham, and other towns, and it is only by means of the present ability to carry such animals to inland towns, where a good market can be found, that they can be imported at a profit. That there is no necessity whatever for the proposed alteration in the law hereinbefore referred to, and the enactment of such alteration would not, in fact, make 'better provision respecting contagious and infectious diseases of cattle and other animals.' So far as regards animals imported from abroad, there are ample means in the existing state of the law —viz., under the Contagious Diseases (Animals) Act, 1869, of preventing the spread of cattle disease from foreign animals. In pursuance of that Act, and the regulations made thereunder. foreign cattle arriving in Liverpool are inspected by the Government Inspector a first time immediately on landing, and a second time after the expiration of 12 hours; and as both inspections must take place in daylight, the cattle are often detained 24 hours after landing before the second inspection is finished, and it is only after the second inspection that the cattle are removed. Although the importation of foreign

cattle to Liverpool has now been going on for several years, there has not yet been, so far as your petitioners are aware, a single case of disease amongst cattle brought from North America, and there have been only two or three cases of foot-and-mouth disease amongst cattle brought from Spain and Portugal. That the period occupied by the voyage to this country is really a period of quarantine, and is found sufficient for its purpose, for if the disease is latent, it will develop. That the provisions of the existing law with regard to the cattle trade generally, and those contained in the said Bill with regard to the home trade in cattle, are entirely permissive. They leave the Privy Council free to act as may be necessary, according to the sanitary condition of cattle in various parts of the country, and according to the particular circumstances of the case. Your petitioners submit that the same principle should be applied to the foreign cattle trade, and that it is very undesirable and unjust to enforce regulations on that trade which are not now and may never be required, and which if put in force must put an end to the trade altogether. The said clause was added because it was proved before the Committee of the House of Lords, to which the said Bill was referred, that amongst the cattle brought from North America cattle plague is unheard of, and the other contagious diseases amongst cattle mentioned in the said Bill are, practically speaking, unknown. But although it was also proved before the said Committee, and is the fact, that the case is the same with reference to cattle brought from Spain and Portugal, yet cattle brought from those countries have not been exempted from the operations of the said Bill. The case of cattle brought from Spain or Portugal differs from that of cattle brought from Germany, Holland, Belgium, or France in this important circumstance, that foot-and-mouth disease is the only contagious disease which, so far as is known, has ever appeared amongst the Iberian cattle imported into this country. That the disease never takes more than 48 hours to develop itself, and generally develops itself in much less time. The passage from ports in Spain or Portugal to ports in the United Kingdom always occupies more than 48 hours. Thus, if any disease exists, it must declare itself before the cattle are landed. That the said Bill authorizes the landing of store cattle, without slaughter, and permits of their transmission inland, after performing quarantine. In case of diseased animals the quarantine grounds would become hotbeds of infection, and the risk of disseminating disease would be much greater than it would be in the case of fat cattle imported, and sold for slaughter. The Bill gives discretionary power to the Privy Council as to all home cattle and foreign store cattle. Your petitioners submit that there is no good reason why the like power should not be given in respect of all foreign fat cattle."

The right hon. Gentleman the Colonial Secretary said that these people are interested, and he threw out—well, I will not call it a taunt, but a hint—that the opinion of men engaged in a trade ought not to have too much importance attached to it, because manufacturers in former times opposed the factory legislation; and, at the same time, he strongly deprecated the use of the word "Protection." Well, when such arguments are used, it is inevitable that we should look back and ask whether manufacturers and merchants are the only classes who have been shortsighted in their own interests, and whether the evidence of the agriculturists, on which the right hon. Gentleman so much relied, does not come from a class the majority of whom, for many years, maintained the Corn Laws to the almost ruin of the country, and to some of whom it would not be doing an injustice to say that they would not be sorry to see what Americans call "incidental protection" arise out of a sanitary Act. It will not surprise the House that the petitioners, with these views, consider these provisions of the Bill unnecessary, and certain to result in injury to the public as well as to themselves. But it has been argued that the importation of cattle is small in comparison with the home production; and that, consequently, we need not expect that it will produce any marked effect on the price to the consumer, if even we should reduce the supply by the measure now proposed. But this argument is unsupported by facts, and is unsound on all sides. Every mercantile man knows that when the supply of an article falls below the demand for consumption, the rise in its price is much greater in proportion than the deficiency of supply. Look at facts, a few years ago, when the coal supply of this country fell somewhat below the consumptive demand, the deficiency was comparatively small, but the rise in price was something enormous. But is the supply so small? Mr. Caird, no mean authority on agricultural matters, and an agriculturist, not a trader, has estimated the foreign meat supply at one-twelfth; and, bear in mind, that it is a supply which, if prices rise as they have done, is capable of very large increase. Just compare the supply of live animals from Canada and the United States during the first four months of 1878 with the corresponding months of 1877. In 1877 only 444 live cattle were imported, while in 1878, 3,254 live cattle were imported, while hogs and sheep increased also, and there was a similar large increase in the price of hogs and sheep. But we have actually no statistics to enable us to compare the home and foreign supply. People point to the large number of cattle that exist in this country, and then they compare it with the small number of cattle that are imported; but that is comparing capital with interest. To show what will affect the price of meat, you ought to be able to compare the fat cattle imported in a year for immediate slaughter with only the number of home-bred cattle slaughtered, and not with the whole stock of the country. People are eating a great deal more meat than they were, and as they get accustomed to higher wages, and drink less, they will eat more still; and in this state of things it is utterly fallacious to treat the foreign supply as of small importance, or to assert that the effect of limiting that supply and discouraging it will not have a very important influence on prices. And you may depend upon it that in these days care will be taken that the working classes know to whom they owe those increased prices. But, say the advocates of indiscriminate slaughter of all live cattle arriving from abroad at the port of discharge, the Bill will not prevent these cattle from coming. Well, the answer to that is, that the practical evidence is against it. The Duke of Richmond himself, in a speech alluded to by the right hon. Gentleman the Member for Bradford, pointed out the disadvantages of slaughtering cattle at the ports of discharge and sending the meat to the markets of consumption, while those who have been engaged in the trade say that compulsory slaughter involves a loss of from £3 to £4 per head. If hon. Members will turn to the evidence of Mr. Leyland before the Lords' Committee—Questions 2,347 and 2,349—they will find that this can be proved by actual experience, and a much less loss than that is sufficient to discourage the ordinary and steady processes of trade. Then, just look at the state of the French cattle trade. In six years, when the French cattle trade was free, we imported 112,000 cattle. In seven years, when it was placed under restrictions, we only imported 24,000 cattle. There is another argument against imposing unnecessary restrictions on cattle from Spain and Portugal. For instance, they arrive at the most opportune moment, when the home supply of stall-fed cattle is falling short, and the home grass-fed cattle are not yet coming freely into the market. The cattle from Spain and Portugal arrive most freely in April, May, June, and July; while it is only towards the latter end of July that I am informed that our own grass-fed cattle come freely into the market. I really do think that this House ought to pause before it gives its consent to unnecessary restrictions upon the supply of foreign food at a time when wages are being reduced, when we are looking forward to a very severe struggle in the North of England in competition with foreign countries, and sacrifices will be called forth from all parties to maintain that struggle. Is this a time when it is wise or safe, by protective measures, to increase the price of so necessary an article as meat is becoming in the diet of the working classes of this country? Something might be said in favour of a course of consistent restriction, that it might really have the effect of stamping out the disease; but you are not proposing a course of consistent restriction, and you know perfectly well that the evidence of your own officers and all practical men of every kind has been that these measures that you are proposing against the foot-and-mouth disease will be absolutely ineffective unless they are made general in their application. You propose to leave entire discretion with the Privy Council as regards the home supply, while you propose to slaughter all animals indiscriminately from every country of Europe by statute. Now, as I have said, I do not propose to touch the question as to how far it is necessary to take the power from the Privy Council as respects countries where the rinderpest exists; but what I wish to ask the House to consider is, is it necessary, is it desirable, to apply this hard-and-fast line where no cattle plague has ever existed? I would just ask the House to consider what has been the state of the case as to cattle imported from certain countries. From Denmark there has been no rinderpest, no pleuro-pneumonia, and only 36 cases of foot-and-mouth disease in eight years. From Norway, while 6,300 animals were imported, there were no cases of disease of any kind. From Sweden, out of 53,000 cattle imported, there were only 419 cases of foot-and-mouth disease. Out of 137,000 animals imported from Portugal there was not a single case of rinderpest, only three doubtful cases of pleuro-pneumonia, and only 1,500 cases of foot-and-mouth disease. From Spain, 178,000 were imported, among which there were no cases of rinderpest, no pleuro-pneumonia, and only 516 cases of foot-and-mouth disease. It is admitted that the precautions taken by the Privy Council have been effectual, and yet you propose to introduce this new protective legislation under the plea of its being a help to you. The right hon. Gentleman the Secretary of State for the Colonies said last night that the provisions as to the home supply were left discretionary with the Privy Council, while the compulsory slaughter of all foreign animals was enjoined by statute; because the time might come when it might be impossible, with safety, to do away with these home restrictions, and yet it may be necessary—I distinctly noticed he used the word "may," not "will"—to retain the restrictions on foreign cattle. Well, we do not object to that. We do not object that, if it be necessary, the Privy Council should have power to retain the foreign precautions when the home precautions have become unnecessary. But what we do object to is, that it should be enacted that we must retain them, even after it may have become perfectly clear to the country and to the Government that the foreign precautions are no longer necessary with regard to certain countries which may be quite free from disease, and more careful as to precautions against it than this country itself. Moreover, it may be true, as is contended by the Irish Members, that it is impossible to stamp out foot-and-mouth disease because people will not submit to the necessary restrictions. Are we, then, to continue these restrictions, the only justification for which is the intention to stamp out this disease? We have had a pretty clear intimation, in the course of a debate in "another place," that the real meaning of this Bill is to demand of Government and of the House of Commons, as representatives of the nation, to place in the hands of the most protectionist branch of the Legislature, the power of continuing these restrictions as "incidental protection," even when these can be shown to be absolutely useless. I think the House of Commons should refuse to become a party to such a scheme, so candidly avowed by the Foreign Secretary in "another place," for tying its hands and taking from it the power of protecting the food of the people. The whole weight of evidence given before every Committee has been against the necessity or wisdom of compulsory slaughter as applied to foot-and-mouth disease. All the Committees that have sat, except the last Lords' Committee, have reported against it, and even in the case of the last Committee of the Lords, it was only carried by 7 to 5. It is perfectly evident that the Government themselves were opposed to it, and only proposed it under pressure from their extreme and less prudent supporters. If hon. Members will turn to Sir Henry Selwin-Ibbetson's draft Report, page 20, paragraph 27, of the Report of the Select Committee of the House of Commons of last Session, they will see that the Government proposed to retain this discretion as to all countries except Russia and Germany—except Schleswig-Holstein; and if hon. Members will read a speech of the Duke of Richmond, reported in *The Times* of the 16th December, 1875, they will find that he, too, until pressure had been brought to bear upon him, saw clearly the danger of the course now proposed. Then you have the evidence of, I believe, all the large Irish graziers, such as Mr. Gerard, Mr. Featherstonhaugh, Mr. Cullen, Mr. Verdon, and others, that no further legislation than that already existing is necessary or desirable as regards foot-and-mouth disease; and though I am aware that many Irishmen are in favour of this Bill, I do not believe that they attempt to disguise their views, that it is as protectionists, not on sanitary grounds, that they are so. Mr. Caird, in a letter published in *The Times* of Saturday, strongly urged the unwisdom of closing the door against all Continental cattle, and he urges strongly that it is not from fat cattle but from store cattle that any danger, if it exists at all, is to be feared. And yet you propose to leave absolute discretion with the Privy Council in the most dangerous part of the foreign trade, while you tie their hands as to that which is less dangerons. Can you expect people to believe that this Bill is a purely sanitary, not a protective, measure? However good your intention may be, I repeat, that to introduce such a Bill at the present time, and in the present prospect of distress in this country, is an unwise, unstatesmanlike, and a dangerous measure. One point, and I have done. It has been said that the fear of foot-and-mouth disease prevents the breeding of cattle, and thereby diminishes the home supply. That is only another instance of the unsound arguments by which it is attempted to defend an indefensible measure. Just turn to the evidence of the hon. Member for the county of Carlow (Mr. Kavanagh), who is one of the largest and most intelligent landowners in Ireland. You will see that he shows clearly that in Ireland at least foot-and-mouth disease has not prevented cattle breeding, for one of the most violent outbreaks of that disease occurred in the year 1844. The existence of that disease has not, therefore, in any way interfered with the very rapid increase in breeding cattle that has taken place since that year. The English statistics are very defective up to 1866, therefore I could only take the last 10 years; and the cattle under one year are not given, therefore I could only take the cattle under two years as showing the tendency of matters. In these I find there has been an increase since 1867 of about 20 per cent, which is much more than in proportion to the total increase in cattle. I think, moreover, that the decrease in the number of cattle last year, as compared with 1876, is in cattle two years old and upwards—that is, in the cattle that are fit for the meat market. There is much less reduction in the numbers of cows and heifers, and hardly any reduction at all in the number of cattle under two years, proving that the right hon. Gentleman the Member for Bradford was correct in saying that it was the bad harvests which induced the farmers to part with their saleable cattle, and that they parted least with their breeding cattle, and have not practically reduced the quantity bred. I hope I have not wearied the patience of the House in trying to urge upon it the very serious character of this question. If our working classes become more wise, as I hope they are becoming, and spend their money more in food and necessaries and less in stimulants, this country would be utterly unable to supply at anything like a moderate price the amount of meat necessary for such consumption; yet here it is proposed to put a statutory difficulty in the way of the introduction of that food from abroad. Is this prudent, or wise, or in the interests of the community? Whatever your intentions may be, it is a revival of the system of raising the cost of the food of the country by Act of Parliament, and I venture to think that if the Government are so unwise as to allow themselves to be driven by their less statesmanlike supporters to persist in all the clauses of this measure, the usual effect of extreme measure will be seen. Parliament will swing round from one extreme to the other; and, in the revulsion from these extreme measures of repression and precaution, even wise measures of precaution may be swept away. I doubt if it is wise, even from a Party point of view. The counties can hardly be made more Conservative than they are, but a very considerable effect may be produced on the towns by such a measure as this. I had occasion to have some conversation upon the subject with a gentleman from Liverpool—a man of very considerable power and influence—which he has always exercised in opposition to the Party to which I belong; but he said—"If this Bill passes, if Protection is to form one of the planks of Conservative policy, I decline to walk on it." But I do hope that the question will be decided on higher grounds than Party considerations. I do urge upon the wise and prudent men on the Conservative side of the House—and it is a Party that ought to contain and does contain many wise and prudent men—that they should be content with compulsory slaughter when applied to cattle arriving from countries infected with rinderpest, and with the very strong discretionary power in the hands of the Government—which I am afraid is not likely to be soon replaced—for dealing with those countries where the only danger is from foot-and-mouth disease, and that they should not bring upon themselves the odium which they will inevitably acquire of having tried to raise the price of the food of the people, at a time when they are not too prosperous, for the benefit of a class.

SIR WALTER B. BARTTELOT concurred in one remark made by the hon. Gentleman who had just sat down—namely, that the Bill before the House was a very important one. It was one which he was prepared to consider in a most fair and impartial spirit, and without anything like Party bias. When he heard the right hon. Gentleman the Member for Bradford propose his Resolution, he could not but think that the right hon. Gentleman must have known that if it were carried it must be fatal to the Bill. No one knew better than the right hon. Gentleman that when he raised a great question of this kind upon the second reading of a Bill, the proposition that he made was absolutely against the principle of the Bill. He denied that the principle of the Bill was confined to, or was to be found in, the 5th Schedule of the Bill, and the right hon. Gentleman himself had distinctly told the House that there were in the Bill certain most valuable provisions which, if he had been in Office, he would have found himself obliged to bring forward, and which were of such importance to the breeder and consumer that he could not oppose the second reading of the measure. It was certainly of overwhelming importance to the breeder and consumer that the Bill should be read a second time; but he frankly admitted that many of the proposals of the right hon. Gentleman were fair, and were made in so candid a spirit that they would deserve the careful consideration of the Committee. The first question put before the House by the right hon. Gentleman was the cattle plague. The terrible losses suffered all over England from the attack of 1865, but especially in Cheshire, which was still suffering from those effects in the rate which she had still to pay, showed us the absolute necessity of the most stringent regulations with regard to that fatal disease. An outbreak of cattle plague also took place in 1872, when the right hon. Gentleman was in Office. Now, where was the disease discovered? Why, in the dairies. And it was not discovered until it reached Hull and London, and the right hon. Gentleman stated most fairly and candidly that after what had happened in his own experience severe measures were necessary; and that, in fact, he had to prevent the import of cattle even from unscheduled countries in order to prevent the introduction of the disease into this country. Then, as to pleuropneumonia, that was a disease of which they had received a large amount from Ireland through the store cattle sent from that country. It was no disparagement to Ireland to say so; but it was a fact that the disease had come to them from Ireland, and now they had to deal with it. He was in favour of Ireland, England, and Scotland being placed in the same position in respect to cattle disease; and he willingly admitted that they owed an enormous debt of gratitude to Ireland for the great number of cattle she supplied to this country, amounting to over 650,000 head a-year, of which, however, only 250,000 were fat, the rest being store stock. For his part, he could not see why, if one animal was found to be diseased on the voyage from Ireland, it should be the only animal to be slaughtered, and why all the rest were allowed to be scattered all over the country. That could not be right, and he submitted, it was a question which required careful consideration; because, whether diseased animals came from Ireland or from abroad, the effect, if they were allowed to be taken from place to place, must be the same. He should be glad to have an assurance from the Government that that question would be considered. Then, as to foot-and-mouth disease, the question it involved was one most difficult to deal with. He had had on his farm several severe outbreaks of foot-and-mouth disease, two of cattle plague, and one of pleuro-pneumonia. With respect to foot-and-mouth disease, no doubt in some instances it was not difficult to cure; but each successive outbreak was worse than that which preceded it. As the disease was of that nature it ought to be checked. Everyone who had practical experience of the disease knew that the milk of a diseased animal could not be used, that calves consuming the milk died, and that the chance was that the next year the cow would not be in calf. At the present moment the disease was not very prevalent, owing to the precautions which had been taken; for, in his opinion, the stoppage of cattle and other animals going out of the Islington Market for so long a period had had more to do than anything else with the prevention of foot-and-mouth disease throughout the country. The difficulty of the case was this. If we stamped out the disease, we should stop the trade of the country very considerably. People said they would submit to any restrictions, but would they really do so when it came to the point? That was the question Parliament had to deal with in reference to this Bill. The loss on a cow suffering from foot-and-mouth disease was not less than £10, on a fatting bullock £5, and on ordinary half-fat stock £2. It had been stated that in 1871 and 1872 there were more than 500,000 cases of diseased animals discovered in Ireland, and it might be taken that 500,000 more had been in contact with them; and, calculating the depreciation at £2 per head, it represented a serious loss in the agriculture of that country. Again, what was to be done with fairs and markets? What was to be done at Ballinasloe, Norwich, Chichester, Barnet, and Blackwater, for example, if in those fairs or markets two or three or four animals were found which had pleuro-pneumonia or foot-and-mouth disease? This was a question which ought to be seriously argued out in Committee, and also whether the regulations proposed would be effectual in eradicating and stopping the disease. The right hon. Member for Bradford had adduced facts and figures to show what would be the result of enacting that all foreign cattle should be slaughtered at the port of landing. He said that the present supply was sufficient to feed 1,000,000 of people for two months with ¾lb of meat per day.

MR. W. E. FORSTER said, he stated that he thought the slaughtering all the animals at the port of landing would have the effect of diminishing the imports 25 per cent on the lowest calculation; and that, he thought, represented ¾lb of meat per day for 1,000,000 of men for two months.

SIR WALTER B. BARTTELOT said, the percentage could not be tested until they had tried the change. But they did know that the imports were daily increasing. In 1862 the animals imported into this country were valued at £1,810,317; whereas, in 1876, the value of the animals imported was no less than £7,027,392. He thought the right hon. Member for Bradford had made out a case, and when they came to Schedule 5, any suggestion which the right hon. Gentleman might make out should receive the serious consideration of the House. With regard to the exclusion of foreign countries, Spain and Portugal were differently situated to others. They supplied themselves with all the animals that they required, and up to this time they had had but few cases of foot-and-mouth disease, and they did not send us store or dairy stock, but fat bullocks for immediate slaughter. He should be glad to know the reason why Spain and Portugal should not be allowed to send their stock here? Denmark had had little or no disease, and the importation from Denmark was something like 56,000 cattle in 1876; but the most curious part of it was that of that number 19,000 were cows, which were allowed to be sent all over the country, and they had not heard yet that they had spread disease over the country. That was a point that required the attention of the hon. Baronet when they came to deal with the question in Committee. Norway and Sweden, so far as he knew, had not sent any diseased stock to this country. In Germany, out of 385,669 cattle and sheep sent to this country, 18,575 were cows; from Holland 26,780 were oxen and sheep, 16,726 cows, and 42,763 calves. He could not pretend to say where the calves went, but he thought they were sent to Islington Market. He was not going to say at this moment what ought to be done, but he merely wished to insist on the necessity of considering all these points carefully when they got into Committee. Although he represented an agricultural county pure and simple, he desired to forward the interests of his friends in the towns as well as of his friends in the country, and to see that fair and even justice was done to all. He would ask the towns to consider the risks which the agricultural producers of meat had run, and to allow restrictions to be imposed if they believed them to be desirable, instead of resolving, as his hon. Friend the Member for Finsbury (Mr. W. M. Torrens) proposed, that no precautions whatever should be taken to prevent the disease. What all parties wanted was a supply of sound and healthy cattle; and he felt convinced that the House, looking at this Bill in a fair and reasonable spirit, would pass its second reading, and so amend it in Committee as to promote the interests of both producers and consumers.

MR. J. HOLMS said, that as he represented a very large constituency which would be injuriously affected by the Bill, and as he had also been a Member of the

Select Committee which inquired into the cattle plague and the importation of live stock, he would make a few remarks on the Bill now under consideration. The hon. and gallant Member (Sir Walter B. Barttelot) had drawn a very proper picture of the terrible ravages which the cattle plague made in this country in 1865, 1866, and 1867. If there was one thing that was brought more prominently before them than another in their investigation last year, it was that the terrible calamity that came on this country, and remained so long, and cost something like £5,000,000 in compensation to farmers, was the cause of that Act which was carried by his right hon. Friend in 1869, and which was evidently so well considered, and so prudent and so well-fitted for the purpose, that the cattle plague of 1872 was quickly dealt with, and dealt with, too, at very little cost to the nation. And in 1877 the plague made its appearance in January; but by the end of April it was totally crushed out at a cost of only about £12,000 to £15,000. All that was effected without closing our ports against foreign cattle, and during the last 18 months the country had been more free from disease than for some time before. It was necessary that they should look carefully to the provisions of the Bill. No doubt the Bill contained, with reference to internal regulations as affecting cattle plague and pleuro-pneumonia, provisions which most hon. Members would wish to see enforced, as being alike beneficial to the producer and the consumer; but, at the same time, there were in the Bill two great principles which, in his opinion, ought to be resented by the House. The first was that foot-and-mouth disease could and must be stamped out; the second was that all fat cattle must be slaughtered at the port of debarkation. Animal food had become an essential part of the food of all our working classes, and, therefore, we were bound to regard the augmentation of the supply of animal food, in whatever shape it could best be obtained, as one of the most important of all questions of purely material interest which now demanded our attention. Unless the provision of the Bill relating to the slaughter of cattle at the port of debarkation were got rid of, it would be better that the Bill should not pass. This would be made clear by an admission of the Duke of Richmond, who, on moving the second reading, said that—

> "The object of the Bill was to stamp out foot-and-mouth disease; and if it were not stamped out in Ireland, then Ireland must be treated as a foreign country."

But could the disease be stamped out in Ireland? If it could not, and if Ireland were to be treated as a foreign country, what would be the result? Why, we should cut off the great supply of the working classes of Lancashire, Cheshire, Nottingham, and the Midland counties. According to the Report of the Select Committee—

> "A much larger number of cattle are imported from Ireland than from all foreign countries, and they are allowed to land at most of our ports, and are not subject to the same regulation, inspection, and detention on landing as that to which foreign cattle are subject."

There was the broad fact that, in the last five years, Ireland sent us, on an average, every year 627,000 head of cattle, as compared with 227,000 sent each year from foreign countries. The hon. Member for the county Carlow (Mr. Kavanagh) had pointed out that—

> "A much larger proportion of the income of Ireland depends upon cattle than is the case in England. You may say that the entire wealth of the country—the only real trade we have—depends upon cattle."

The preponderating opinion in Ireland was strongly against the proposed restrictions, and he did not think it could be expected that they would be carried into effect. But even if foot-and-mouth disease were stamped out among cattle, he doubted whether the object of the Government would be attained; because, according to the testimony of Professor Simonds, the disease attacked other animals as well as cattle. Sheep, pigs, and domestic poultry were also affected by it in great numbers. Professor Simonds likewise said—

> "In my opinion the outbreak of foot-and-mouth disease in 1839 raged to a greater extent in 1840 and 1841 than it has ever raged since, and was more destructive to life at that time than it has ever been since."

Nothing could be more clear than that statement, that before any live cattle were imported, we had more foot-and-mouth disease than we had since. What, then, was the position of the Government after the statement of the Duke of Richmond? Foot-and-mouth disease could not be stamped out in Ireland; therefore, logically, we ought at once to close the ports against the importation of live cattle from Ireland. Could this law, then, possibly succeed in Ireland? In his opinion, it would be extremely unwise and unjust to pass such a Bill. The Duke of Richmond had quoted figures to show that the dead meat trade from Aberdeen took its rise after the cattle plague in 1865-6, and he also quoted figures to show the importation of live cattle from that city, and that was taken as a proof that the trade in dead meat would take the place of the trade in live cattle; but that was not so. Both had increased; the growth of the trade in live cattle went on all the same, and was greater than in the dead meat trade. No better proof could be given of the advantage of leaving the trade to the option of the dealers. But, it was asked, if London had received dead meat from Aberdeen, why should London not receive dead meat from the ports of debarkation where foreign cattle were to be slaughtered? The answer was that the conditions of the dead meat trade from Aberdeen and the dead meat slaughtered at the port of debarkation were widely different in this important respect, that the Aberdeen butcher could regulate his time and his supplies to suit the market and the condition of his animals, whereas the position of the importer of cattle from the Continent was very different, being forced to be slaughtered soon after arrival. It was a consumers' question, and the right hon. Gentleman admitted that the Bill would be of little use if it could not be justified from a consumers' point of view. Now, how did we stand as regarded our sources of supply? He found that while the population of Great Britain was 25,469,000 in 1869, it was 28,100,000 in 1877, or an increase of 10 per cent. Assuming that 25 per cent of the herds of the country went to the butcher, he had calculated that there had been only an increase in home produce of 7 per cent during the period of 1869-77, while the population had increased by 10 per cent. Taking the supply from Ireland and foreign countries, it was just equal to 35 per cent of the whole in 1869; whilst he found that in 1877 it had increased so as to be equal to 37½ per cent. How much of the average consumption per head in this country was foreign, and how much home meat? It had been stated that the average annual consumption of butchers' meat was 98lb. per head of the population, of which something less than half was from horned cattle, of which, in 1869, the consumption was 43lb. 10oz. of home meat to 3lb. 10oz. of foreign meat; in 1876, 45lb. 4oz. of home meat to 4lb. 14oz. of foreign meat; in 1877, 43lb. 10oz. of home meat to 4lb. 10oz. of foreign meat. In 1869, the 3lb. 10oz. of foreign meat was all live meat on its arrival here. In 1876, of the 4lb. 14oz. of foreign meat, 10oz. was dead and 4lb. 4oz. alive. In 1877, of the 4lb. 10oz. of foreign meat, 1lb. 9oz. was dead and 3lb. 1oz. alive. Therefore, while there was a great increase in the dead meat trade, there was more than a corresponding falling-off in the live meat trade. It was a great mistake to depreciate the importance of the dead meat trade; which, at an average of 520lb. per animal, had risen from 7,545 head in 1875 to 36,768 in 1876, and 100,415 in 1877. Although, in the past five months of the year, this trade was going back slightly, the Board of Trade figures showed it was accompanied by a growing increase in the importation of live cattle from America; and, knowing that there was a growing demand for animal food, we should do wrong, because of the increased supply of dead meat, to check the incoming of live cattle, unless for reasons vastly stronger than any that had been adduced. We had need of both trades, and they might and would thrive side by side. Why all that alarm about disease in foreign cattle? During eight years, from 1870 to 1877, there had been imported into this country from foreign countries, including the United States and Canada, 1,845,000 head of cattle. Out of that number only 18,947 were slaughtered at the port of debarkation, having been found diseased. The value of the whole had been £31,300,000, while that of the diseased animals was represented by the sum of only £320,000; and yet it was proposed that these vast herds should all in future be slaughtered, though, in the past, the slaughter of only about 1 per cent of them was found necessary. Surely the remedy went far beyond the nature and extent of the risk. The Privy Council now had vast powers, which they had exercised with wisdom and discretion; they had been able to stamp out cattle plague thoroughly; and it had not been made clear that foot-and-mouth disease was so risky as to justify them in passing a measure of this extreme kind. The draft Report of the Chairman of the Committee of 1877 recommended that imports from Denmark, Norway, Sweden, Spain, and Portugal should be permitted on the same conditions as now, and the reason given now by the Financial Secretary to the Treasury for not acting on his own recommendation as Chairman of that Committee was, that if any one country was open, it would become a centre to which other countries would send their cattle. Could there be a better argument for an opposite conclusion, and allowing cattle to filter through those countries, which were so careful to be free of disease, before coming here? A Report from our Consul at Copenhagen showed that if it were not for the live meat trade the trade would greatly diminish, because the dead meat trade could not be carried on. The Bill attempted overmuch legislation, and nothing was more detrimental to trade than legislation where it could be avoided. The Minister of the Netherlands in London had addressed a letter to Lord Derby, deprecating the legislation on the lines of the Bill as contrary to the principles of Free Trade and likely to weaken our advocacy of those principles on the Continent. The Minister suggested that the Bill should be made temporary in its operation, and said that, as there had not been a case of distemper in the Netherlands for 10 or 12 years, the Government flattered itself that, in relation to that country, means would be found to reconcile conflicting interests. In conclusion, he stated that he had received a Petition to that House from the Southampton Dock Company, setting forth that if cattle were to be slaughtered at that port, the trade must cease, for importers would not be able to sustain the loss that must ensue. Only the best parts of the animals when slaughtered would bear the expense of carrying to London, and the poorer portion of the population of the Metropolis would be deprived of much of that kind of food which formed their present sustenance. He hoped the Bill, in its present form, would not be carried, for it contained provisions detrimental to the interests of the country, and contrary to the spirit of the Free Trade policy of the nation.

Mr. MARK STEWART said, it was fortunate, that when one Member produced a certain set of figures in support of his argument, there was another Member ready with another set of figures to demolish that argument. That certainly was the case in the present instance. The hon. Member who had just sat down made a great point of the letter from the Minister of the Netherlands, showing that there had been no disease there for some time. But what were the facts of the case? In the Returns presented to that House, it was shown that in 1877 there were 951 cases of pleuro-pneumonia, and in 1876 there were 1,723 cases. These figures were exclusive of foot-and-mouth disease, which had not been included in the Returns, though it was certain that that disease prevailed in the Netherlands. That was the country which was held up to them as a country which should be taken out of the Schedule, and allow cattle of all sorts to be imported into this country. This was a question for the importers. No doubt, there was a growing demand for animal food, but he would maintain that it was not a question simply for the importer and the producer; but the people of this country should be considered, and if they failed to take that into consideration, the whole case of those who opposed the measure must fall to the ground. The advantage should be given to the people in this country rather than to those countries that would send animals of any description into Great Britain as long as they could get good money in return. His hon. Friend also stated that, probably in a few years, if this Bill became law, there would be found a difficulty with Scotland as well as Ireland; but in his (Mr. Stewart's) opinion, so long as this country was connected with Scotland in the manner in which it was, the Scotch in this matter knew how to take care of themselves. The meat trade in Scotland was increasing year by year. It was now the practice to send large freights of meat up to London daily; and, in the district with which he was connected, many thousands of heads of stock now went up yearly which were never forwarded before. But the farmers in that country did not want Protection. They wanted it in one sense, but not in another. The farmers asked for protection from those diseases which affected their cattle. Protection was given to other trades; sanitary laws were passed with regard to diseases affecting human beings, such as small-pox and scarlet fever, and the farmers asked why should Parliament not legislate for the purpose of guarding against those diseases which did so much damage to their herds? Why should they not have that legislation which would free the market and open trade? If an attempt were to be made to prohibit the vast amount of disease which was engendered by the introduction of diseased cattle, was Parliament to sit with folded arms and do nothing while this outcry was going on? No doubt, there were complaints in the country as to the want of protection, and those complaints were also heard in the North of Scotland. Those diseases, they knew very well, appeared in Ireland, and he felt that it would be to the advantage of Ireland if the proposed regulations were put into operation. It would be an immense advantage to insure the health of the cattle. It would enhance their value, and would benefit those who owned them, while it would give facilities to people to send the animals to the London market, where they now went as dead meat. In spite of what hon. Members might say, he could assert, from the experience he had gained on his own farms, that the effects of foot-and-mouth disease were very injurious and disastrous. The bad results depended very much upon the time of the year in which the disease took hold of the animals. In one part of the year a great loss would result in the milking, and in another part of the year it would affect the calving, and the consequence was barrenness in the spring; so that they had not only a loss with respect to the great diminution in the quantity of milk, but also in the produce of the cow. Those things occurred both among cattle and sheep. The question ought to be considered in all its bearings, and not from one particular point of view only. An hon. Member had urged that as Denmark was free from cattle disease, the importation of live stock from that country could safely be allowed. A moment's consideration, however, would show that that was not the case. Speaking generally, cattle might be put into a railway train one day in Russia, reach Denmark the next, and be at once exported from that country to England, although stringent regulations existed against the importation of cattle from Russia to Denmark. Again, cattle were brought by the Fins from Russia to Sweden, and so might introduce disease into England, if imported thither. What security could they have, then, that they would not receive diseased cattle, or cattle in which disease was latent, from Russia through Denmark? Looking over the clauses of the Bill which dealt with foot-and-mouth disease, he was bound to say that the measure would fail to cure the disease in Ireland. He did not see how they could stamp out foot-and-mouth disease anywhere; but it was the least of three evils, the most violent of which was pleuro-pneumonia. They knew perfectly well that the provisions referring to that disease would be effectual if put into operation the moment the disease was discovered; but it was the after-effects of cattle disease which the farmers mostly dreaded, and, therefore, it was their desire to embody an effective principle in the Bill. Although there were some faults in the Bill now before the House, yet there were other principles in the Act which ought to make it valuable. If the Bill became law, the Orders of Council—such as those issued last year by the Privy Council—would no longer be required. He urged that protection should be given to the country, for, in a great many cases, the town depended upon the support of the country. It was a question for all, and there was a great want of comprehension in the Bill; for in this country, if they were not prepared by an Act to lay down certain measures to provide against diseases, they could not reasonably expect reasonable men to submit to any stringent measures. He asked, were they prepared to make such regulations as would stamp out disease?—because, if they were not, it would be useless to ask farmers to hold out a helping hand. The hon. Member for Liverpool stated that inasmuch as there were no measures taken to carry out the slaughter of animals at that port, it would not be possible for the measure to operate in Liverpool. That argument had been used over and over again, and it was impossible to say that any Act could be passed without a grievance resulting from it. If those regulations were carried out, however, with reference to slaughter at the ports, he believed that security would be rendered more secure, and the people would have a sense of that security and of the exemption from the disease, which would not only bring to our shores abundance of meat from the Continent, but an enormous amount of live stock would be found to be slaughtered at the ports of debarkation. Instead of a scarcity there would be found more meat than before. Statistics proved that the dead meat trade was increasing, and he had no doubt that it would continue to increase. The Bill, it was allowed, affected Ireland very largely, but, if passed into law, it would more than compensate Irish farmers for any restrictions placed upon them; and, in his opinion, it would give greater security with regard to the cattle plague. The regulations, he felt, would not only do good to the agricultural community generally, but would effect a greater good to consumers, and it would be a measure calculated to stamp upon the House a mark which it would never lose.

Mr. E. S. HOWARD said, that this Bill was based on the assumption that it was not only desirable, but possible, to stamp out cattle diseases. If hon. Gentlemen thought that this end was unattainable, or that the remedy was worse than the disease, they would oppose the Bill altogether. Now, he was of opinion that it was possible, with proper restrictions, to stamp out those diseases, and that it was well worth while to endeavour to do so. The first part of the Bill aimed at suppressing the disease at home, while the other part aimed at preventing the introduction of the disease from abroad. If the first part of the Bill were not likely to be efficient, the whole excuse for the second part, as it at present stood, must fall to the ground. The right hon. Gentleman (Mr. W. E. Forster) asked the House to express an adverse opinion on the second part of the Bill before an opportunity had been given to hon. Members of rendering the first part efficient; and, therefore, he thought the Amendment was altogether premature. He admitted that, in his opinion, the home regulations were not satisfactory; but he hoped to be able to amend these provisions when the Bill got into Committee. If they were not amended, then, but not until then, he would join in endeavouring to procure those modifications which the right hon. Gentleman desired to introduce in the second part of the Bill. He should vote for the second reading, because he believed that if the Bill were improved in Committee it would attain its object and be of great benefit to the country.

Mr. PELL thought there was a very general agreement as to the necessity of the Bill, and the importance of the two subjects it dealt with—namely, the rinderpest and pleuro-pneumonia. At any cost or hazard the first of these two disorders must be kept out of this Kingdom. With regard to pleuro-pneumonia, which ranked next to rinderpest in its ill effects, he did not think there were many hon. Members, or any well-informed portion of the community outside the House, who could say that the Bill went too far in the way in which it proposed to deal with that disorder. With respect to the foot-and-mouth disease, however, a controversy had raged in that House, and difference of opinion was likely to continue. Before referring to the last-named disease, he would make a few remarks on the supposed effect of the Bill in reference to the supply of meat. No one could dispute the fact that interference with a trade was a bad thing in itself; but, in the present instance, it was worth while to ascertain whether adequate compensation would not be found in the shape of an alternative supply. It was true the trade had suffered from the withdrawal of a certain number of live animals; but he was inclined to think that there had been something like a corresponding increase in the importation of dead meat. He wished, also, to call attention to another fact which was encouraging to the consumers in England. Accompanying the decline in the importation of foreign cattle from abroad there was a large increase in the number of live stock in Ireland. In fact, there were 100,000 more cattle in Ireland in 1876 than there were in 1872. He did not suppose that our Irish friends were going to eat all these animals themselves, but would probably let some of them come over to this country. His right hon. Friend opposite had said very truly that this trade in live cattle in England was a new one, and that the figures as to its present amount were no measure of what it might become. No one would be more inclined to deal fairly with this trade than he would be. But if all that had been said about the live cattle trade were true, it was also true with reference to the dead meat trade. From figures in his possession, it appeared that in 1876, 1,167,000 cwt. of dead meat was brought into the country; and in 1877, 1,500,000 cwt., which represented the value of £2,900,000 in 1876 and £4,117,000 in 1877. If they took an ox at 98 stone, or 7 cwt., the increased import represented 60,000 oxen, which went a long way to meet the diminished import of live stock. None of us could say to what extent the dead meat trade, if it had fair play, might be developed. And now came the question, were we doing our best as between England and Ireland, England and Denmark, England and Germany, to develop the dead meat trade? He could hardly think we were. Much might be done with that grand market which the Corporation of London had made at Deptford, and on the score of which they took at Islington very high tolls from the farmers of England. But the approaches to the market, and the appliances there, were unworthy of this country. There were no appliances at the market for chilling the meat or keeping it cool, and if we wanted to see how that was to be done, we must go not to Deptford, but to Chicago. One of the consequences likely to flow from the restrictions proposed to be imposed on the live cattle trade was that some arrangement would be made at this great market for cooling the meat, and bringing it into a condition in which it might travel through England with the same sweetness as American meat did in America. But, notwithstanding all the present obstacles and shortcomings, he believed that beef and mutton could be killed at Deptford and placed on the table at Manchester within 24 hours. He could not quite agree with his hon. and gallant Friend (Sir Walter B. Barttelot) with regard to giving entire freedom to cattle from Spain and Portugal. He had ascertained, from good authority, that foot-and-mouth disease was not very unfrequent in Spain. There was one thing about Spain and Portugal which had not been alluded to. Those countries had a large and productive geographical area. There was an almost insurmountable barrier between them and France, and there would be no difficulty in keeping animals out in that direction. But there was very little doubt that Austrians, Hungarians, and Italians, if they found it to their advantage, might make the Peninsula a country of transit, and might pass their animals through and tranship them to this country with all the evil consequences now apprehended. He had been told that in one instance Polish cattle had been so brought from Denmark. Would it be wise, then, to give Spain and Portugal precisely the same advantages as were conceded to the United States and Canada by the Bill? But, on the other hand, he had to consider that there was a large importation of most excellent and healthy animals from Spain. Well, then, could we do anything which would put Spain and Portugal not on quite the same footing as Germany and Austria, and, at the same time, afford a sufficient security against disease to the English public? Would it not be possible to give to the Privy Council, after due inquiry, and upon assured knowledge, and after statements had been laid on the Table for a certain period, power to relax the restrictions with respect to Spain and Portugal? In dealing with foot-and-mouth disease, he thought the Bill was most unsatisfactory. When the Bill was brought into the House of Lords the Privy Council had power to declare a district infected, but as the Bill stood now they had no such power. The consequence of the change would be bad. First of all, you could not call a small place an infected district, and the local authorities and the Privy Council would, therefore, make the infected place larger in area. The consequence would be that you could not get anything in or out of it; but people could go in or out. But if the Bill remained as at first introduced, there would be power to declare a district infected. An infected district would have an infected place inside it; and with regard to the infected place, the rules would make it clear that nothing could go in or come out. But with regard to the infected district, after due inquiry had been made, licence might be given to the owners of cows or fat stock to remove them to market under certain restrictions. He hoped, therefore, the House would consider the propriety of restoring the Bill in this respect to its original form. Even then, he had serious doubts whether foot-and-mouth disease would thus be extirpated in England. He, therefore, did not feel at all comfortable at the prospect of imposing these extremely severe measures on foreign animals. Many years ago a great Italian physician, writing on this subject, spoke of England in her then decided treatment of rinderpest as *gens strenua et severa.* He thought the terms might not be inapplicable to this country now; but he hoped to see that strenuousness and severity applied in some marked degree to the extirpation of foot-and-mouth disease in England, and not directed too exclusively or sharply to foreign importations.

Lord FREDERICK CAVENDISH entirely agreed with his right hon. Friend the Member for Bradford (Mr. W. E. Forster), that this was not a Bill to be treated as a Party measure. In fact, it was impossible when an hon. Member got up to speak on it to anticipate what side he would take. Although there was great divergence of opinion on both sides of the House on the subject, there was not one hon. Member who had not admitted that if we could extirpate the cattle disease it would be worth while to make a considerable sacrifice. But, on the other hand, it was also admitted, that unless they could put further restrictions on the internal trade, it was worse than useless to put these restrictions on foreign importation. The question then, was, was it possible to impose such internal restrictions as to afford any reasonable hope of the extirpation of this disease? He was not so learned on this subject as to be able to give an opinion where so many doctors differed; but he could appeal to an authority which the Government would recognize—their own Bill. The Bill did not carry out the recommendations of their own Committee of last year. The Report of that Committee recommended the imposition of three restrictions. These were—that where the foot-and-mouth disease existed, the movement of cattle should be prohibited except under licence; that similar restrictions should be imposed with respect to markets and fairs; and that the time of removal from place to place should be restricted. Now, on looking carefully through the Bill, he observed that every one of these recommendations had been restricted. In the clauses and schedules there were restrictions relating to pleuro-pneumonia; but there were no such restrictions with respect to the foot-and-mouth disease. Take, as an illustration, the movement of cattle in any infected district. No power was taken in the Bill to declare a district infected. In the 18th clause, relating to pleuro-pneumonia, there was a provision giving the Privy Council power to declare any district infected; but, looking at the clauses relating to the foot-and-mouth disease, there was no power to make such limit, and in the schedule relating to that disease there was nothing to restrict the movement of animals in the place infected. He thought the hon. Gentleman who had charge of the Bill would be obliged, when he came to reply, to admit that the recommendations of the Committee were not embodied in the Bill. Professor Simonds, when examined before the House of Lords' Committee as to certain restrictions on foreign trade, said he believed they would be perfectly useless, and Professor Brown expressed a similar opinion; and, although he was the Government adviser, they had introduced provisions adverse to his opinion. It was no doubt said that Amendments to meet these points, and to render the Bill more stringent, might be inserted in Committee; but he should be surprised if the Government accepted Amendments tending to make the internal restrictions more stringent. He said this because, when the Bill was introduced into the House of Lords, it did contain more stringent provisions; but in that House it was referred to a Select Committee, on which three Cabinet Ministers sat; and that Committee having heard evidence, modified those restrictions, with the assent of those Cabinet Ministers. After that, it would be a good deal to ask the House to vote against the Amendment of his right hon. Friend, in the hope of inserting Amendments of the kind which the Government had already abandoned. He was, therefore, not so sanguine as the hon. Member for East Cumberland (Mr. E. S. Howard), that the Bill could be amended, so as to make it efficient. Besides, the provisions would come very late in the Bill, and would not be likely to be reached before the end of July; whereas they were important enough to demand the attention more likely to be given to them at the end of June. Then it was said that these provisions were not very important, because one most important source of supply was at home. He admitted that the foreign supply had not increased so fast as it had at one time been expected, but from some countries it had increased rapidly. In six or seven years the imports from Denmark had increased from 10,000 to 70,000 beasts, giving rise to the hope of a considerable supply from that country. Every precaution had been taken as to the prevention of disease in Denmark, and so effective were the precautions, that that country was more free from disease than any part of England or Ireland; to stop the trade, therefore, would be a very strong measure. He would call the attention of the House, as a proof of the mischief done by imposing restrictions upon trade, to the effect of the restrictions imposed on the foreign cattle trade at the time of the cattle plague. From 1860 to 1865 that trade had increased rapidly, the number of beasts imported having increased from 100,000 to 150,000; but from 1865 the trade had remained stationary, notwithstanding the increased prosperity of the country, and the consequent increase in the power of the people to consume meat. No doubt, trade in foreign cattle would have increased as rapidly since 1865 as it did before if it had not been for these restrictions. Under these circumstances, he considered it most unwise to impose further restrictions on importation; and, although he was anxious to support some portions of the Bill, he cordially supported the Amendment of his right hon. Friend the Member for Bradford.

VISCOUNT SANDON said, he had listened with great interest to the speech of his noble Friend (Lord Frederick Cavendish), who spoke with authority on any subject he had studied thoroughly; but who, in this case, had spoken mainly against details which he would leave to be dealt with in reply by the Secretary to the Treasury. There appeared to be on the front Opposition Bench as much divergence of opinion as had been exhibited in other parts of the House. This would be seen, if they compared the speech they had just heard with that of the right hon. Gentleman the Member for Bradford (Mr. W. E. Forster). The right hon. Gentleman was satisfied with the Bill, with the exception of the provision for slaughter at the ports, and spoke of it as a Bill of great value.

MR. W. E. FORSTER said, he had referred to two provisions of the Bill carrying out the recommendations of the Committee of 1873—one with regard to cattle plague, and the other with respect to the rules in places infected with pleuro-pneumonia. He did not express any opinion on any other point of the Bill.

VISCOUNT SANDON understood that the right hon. Gentleman thought the Bill of too much value to be opposed absolutely on the second reading. The noble Lord (Lord Frederick Cavendish), however, took a different view, and opposed the Bill in detail. It was not a measure on which they need be ashamed of entertaining different views; but, however they might wish to apply them, as far as principle went, both parties were agreed that certain diseases might be of so serious a character abroad as to make it necessary to restrict the importation of animals. No one regretted more than the Government that it should be necessary to restrict trade at all; and nothing but very grave reasons could justify them in doing so. He did not at all undervalue the natural jealousy which existed on both sides of the House as to the possibility of doing anything that would raise the price of meat; it was only right and just that they should be jealous, and the Government would be culpable if they did not acknowledge the value of the suggestions made to put a rise in the price of meat beyond all fear. It ought also to be remembered that there were other articles of food the price of which might be raised by the prevalence of disease. Hon. Members had not sufficiently recognized the fact that butter, milk, and cheese were seriously affected in price by the prevalence of disease in country districts. Foot-and-mouth disease interfered grievously with the production of butter, milk, and cheese, and raised their price seriously. The question was, why did they move at all with regard to the question of foreign meat? He would not deny that the Government had received very strong representations from the producers on this subject; and, as was natural, the first thing that struck the Government was, that it was a very serious and grave matter to run the risk of even appearing to propose legislation in the special interest of those who might be considered to be their most immediate friends. The Government had had to take a wide view of the question. They had observed that, in spite of the comparative freedom of the regulations affecting the importation of cattle, the price of meat had still risen. Foreign supply had by no means met the diminished home supply, and those who were responsible had been brought to face the question of how an increasing population was to be fed with a decreasing supply. The Government asked themselves how it arose that the home supply was less than it used to be, for they found that the number of live stock owned in England was smaller by 2,510,000 in 1877 than it was in 1865. This state of things existed, notwithstanding that the population of the country had increased, and the necessity had arisen for a larger supply of animal food. The reason was, that home farmers were so afraid of the importation of disease that they kept only as many cattle upon their farms as sufficed to pay their rent. It was all very well to speak of the feeling of the farmers with regard to cattle plague as a panic; but it must not be forgotten that the ravages of the disease had cost the country £5,000,000, or more than 250,000 head of cattle. The loss of this large number of cattle, a large number of them being cows, was not in itself all the evil; because it involved further the loss of their possible offspring, which would have been available either for breeding or for conversion into food. It was estimated that had these animals not been carried off, this country would at this moment have had some 2,000,000 more head of cattle. That was one thing which had spread alarm among the farmers. Then there was the question of foot-and-mouth disease to be taken into account. It was quite a mistake to undervalue that. Nothing was more depressing to a farmer than to find his animals wasting away, so to speak, before his face. It would not feed, it would not milk, and when it did yield milk it had to be thrown away. So far from being a trifle, foot-and-mouth disease was, in some respects, a disorder as much to be feared as actual rinderpest itself. It might be asked, if this legislation were so important, why had it not been had recourse to before? Those who put that question forgot or ignored the vast change effected by the multiplication of railways. Every farmhouse, so to speak, had almost a line brought practically to its own door, and cattle were interchanged between distant parts under circumstances which made it difficult to trace the origin of the disease in cases where it broke out. Bearing this in mind, the Government had come to the conclusion that the restrictions contained in the Bill were necessary restrictions in behalf alike of the interests of the foreign importer and the home producer. Well, then, the question came to be, would the restrictions diminish the foreign supply? That question had partly been answered by recent events. Ten years ago, any suggestion of a large importation of dead meat would have been regarded as a dream, now it was a reality. Large quantities were sent up every day from Scotland; and, as the House must know, mechanical contrivances had been adopted which rendered it as easy to bring into the English market in good condition meat which had been killed abroad as it was to produce a supply of beef which had been killed in English slaughter-houses; in fact, he understood that during the last six months the supply from America had reached between 7,000 and 8,000 tons. Objection had been made to the dead meat trade, on the ground that it prevented the poorer classes from obtaining as food what in the trade was known as "offal;" but which, in fact, was nutritive, cheap, and wholesome food. But, as a matter of fact, this kind of food could be and was largely sent from Deptford, where imported cattle were slaughtered, to all parts of the country; and, therefore, the poor lost nothing by the restrictions which had been imposed. These things caused the Government to consider the steps they proposed to take with all the greater confidence. Those steps had been somewhat misrepresented. Hon. Members had treated the Bill as if it were one entirely to prohibit foreign countries from sending live cattle to England. That was a mistake. All the Government said was—"You may land them alive, but you shall not be allowed to take them beyond a certain limit." Judging from what some hon. Members said, one might think that the intention was that all cattle should be knocked on the head as soon as they were landed from the ship. Nothing was further from the intention of the Ministry. Cattle could be kept for 10 days or longer at the port of debarkation, and only be killed when information was received from the great centres of consumption that a scarcity of meat prevailed. And here he would remind the House of the part that was nowadays played by the electric telegraph. Messages could easily be transmitted to all the ports where the cattle were waiting, and they could be killed when wanted. That, of course, removed the misconception that by slaughtering the cattle immediately on arrival foreign traders would not import, as the state of the market might be unfavourable. Those who were opposed to the Bill, he might add, contended that the system of slaughter at the ports would raise very much the price of meat. That was an objection which, in his opinion, could not be substantiated. He had looked at the evidence which had been taken before the Committee of 1873, and a question had been addressed by the noble Lord the Member for Westmeath (Lord Robert Montagu) to Professor Brown as to the effect of the Slaughtering Orders of cattle in 1868 in Manchester, London, and Birmingham. The noble Lord read certain Returns which had been made by Professor Brown, who had been sent on a mission of inquiry to those towns, and asked whether Professor Brown had arrived at the conclusion that the Slaughtering Orders had not affected the price of meat at all, or, if they did, that they had caused it to fall. The answer of Professor Brown was that the Returns for which he was responsible showed that the Orders had the effect rather of reducing the wholesale price of meat. Surely that was a testimony to which the Government should attach a great deal of importance. As there was a great deal of misrepresentation on the subject, he would ask the House to consider whence it was our foreign supply of meat came. There were Russia, Germany, Belgium, and Holland in one group; but the prevalence of the cattle plague in the great steppes of Russia, and the connection between Germany and Belgium and that country, made it impossible to deal with them otherwise than by means of very restrictive measures. Then came France, but all the testimony relating to that country went to show that France had not enough of meat for her own use, and that she was never likely to become a great exporting country, so that she might be set aside. Then came Canada and the United States; to those countries, he believed, they might look for an enormous meat supply for the future, and with them no interference was proposed by the Government measure. There were besides Norway, Sweden, Denmark, and Portugal, and from those countries we no doubt received a certain supply of meat; but there was reason to doubt whether that supply was so large as it was generally thought to be. It was, therefore, quite intelligible that many hon. Gentlemen expressed considerable hesitation before accepting any proposal to place those countries under restrictions. But let him suppose, for instance, that an exception were made with regard to Portugal, the real risk which would have to be run was that the moment one country was placed in a freer position than another, the temptation presented to an unclean country to get its diseased animals passed through the freer country was so enormous that it was impossible to prevent that course from being taken. This had actually happened in Spain, through which he had been assured that even some cattle from Austria had been passed in order to reach England. It would, at all events, be exceedingly difficult to preclude French cattle from coming through Spain and Portugal; so that, without pronouncing any opinion of his own with regard to those countries, he begged the House to bear in mind the serious difficulties which lay in the way of making them exceptions to the Bill. They were by no means fanciful difficulties, because the great object of the Bill was to give a real security. And what was really the position in which the Government stood with regard to the matter? They did their best to encourage the dead meat traffic from the small producing countries; but when they came to deal with large producing countries, such as Canada and the United States, they kept the door wide open to them to send, not only dead meat, but their live cattle to walk all over the land as they liked. He would ask the House, therefore, to concur with him when he said that the Government, in so acting, could not for a moment be justly accused of the desire to encourage by the Bill the protection of our native produce. It would, of course, be quite absurd not to admit that the Bill must effect a very considerable change in the course of trade ; but that change would, he believed, be cured in a very few years by the course of events. Nevertheless, great changes must, of course, be distasteful to certain persons, such as the traders and dealers in cattle ; but it was quite clear that the consumer did not occupy the same position as the importer and the middleman and the salesman. He was quite aware of the inconvenience to which those persons might be put ; but he was very doubtful whether the consumer would not profit, in the long run, by the diminished number of persons who derived their profits from the trade. He thought, therefore, that the Government might disregard the charge that in what they were doing they would be increasing the burdens on the consumer. He was confirmed in that view by what had occurred in the debate of the previous evening. He was aware that those who were connected with the interests of the importers and the salesmen were rather shy of the Bill ; but his hon. Friend the Member for the Tower Hamlets (Mr. Ritchie), he found, who represented a large consuming and working population, was warmly in favour of the Bill as a whole. ["No, no!"] He certainly, after hearing his hon. Friend's speech, received that impression. But, be that as it might, he felt assured that when the Bill was fully considered, the apprehensions of the hon. Member for Birmingham (Mr. Muntz) and his hon. Colleague the Member for Liverpool (Mr. Rathbone) would be seen not to be well founded. They adverted to the fear that the Government should be supposed for a moment to desire to increase the price of meat. It was something like saying—"Do you not think the man ought to be put under the pump?" when such suggestions were made to the constituencies. As to the changes which might be introduced into the Bill in Committee, it was of course obvious that the Government would be prepared to meet all objections with regard to the inconveniences which might result from the operation as far as possible half-way whenever a real difficulty had to be met. But, looking to the question as a whole, and having great confidence that the Bill would increase the food supply of the people in the long run, they felt it their duty not to be afraid of the taunts which had been thrown out against them ; but, relying on their just intentions and a really good case, to invite the House to give its assent to the Bill.

Mr. SYNAN pointed to the fact that the number of cattle in Ireland had greatly increased between 1872 and 1876 to show that distemper did not prevail in that country to such an extent as some persons were disposed to think. In his opinion, the Resolution ought not to have been brought forward on the second reading of the Bill, and he consequently could not support the course taken by his right hon. Friend on the front Opposition Bench. Besides, the form of the Amendment was very inconsistent ; for, while it related to an alteration that might be made in Committee, if it were passed it would be fatal to the second reading of the Bill. Why, then, had it been proposed at that stage ? Evidently because it would catch those who objected to certain clauses respecting foot-and-mouth disease, and Members like the hon. Member for Birmingham, who objected to any legislation on the matter. The hon. Member had stated that the disease was not imported, and that the evidence of its importation was imaginary. And his hon. Friend had further said that the Committee, whose Report had been based on that evidence, had founded it on a pure delusion. It seemed, then, that the Resolution had been brought forward in order to catch the votes of hon. Members with the views he had mentioned. The right hon. Gentleman who had moved the Resolution had said that he wished to see the second reading carried ; that object, however, would have been more surely obtained if the Resolution had been reserved until the discussion on the 5th Schedule, when it might have been debated without prejudice to the rest of the Bill. The Resolution was founded upon the assumption that, if that clause remained in the Bill, it would increase the price of meat, and diminish the importation of cattle, and consequently the supply to the home market. That was a question of statistics and facts, and depended upon the further question whether the whole of the Continent was to be scheduled. No statistics had been adduced to prove the assumption. Nor had statistics been given to prove the position that the present system of scheduling countries had diminished the supply one-half, and that the stringent law proposed would add another 25 per cent to the diminution. Though he was in favour of the second reading of the Bill, he did not offer any opinion upon the merits of the Resolution, and reserved any observations he had to make on the principle involved in it until it came under consideration in Committee. With regard to the aspect of the question as affecting Ireland, it was admitted that the cattle trade was the only trade that had been left to it. Ireland, in that respect, had all its eggs in one basket. It was of paramount importance that the cattle trade of Ireland should be preserved, protected, and increased as much as possible. It was vital to the interests of Ireland that the supply should increase, and it was also equally vital to the interests of England that the supply should continue and increase. Nearly the whole of the cattle supplied to the North of England was forwarded from Ireland. The supply from Ireland amounted to 450,000 head of cattle a-year more than the foreign supply. Considering, therefore, that this was the only vital industry in Ireland, no attempt should be made in the House for diminishing that supply. For this reason, he had from the commencement shown his objection to the arguments on the other side of the House in favour of making the clauses in the Bill dealing with foot-and-mouth disease more stringent. It was impossible to stamp out foot-and-mouth disease in the same way as cattle plague and pleuro-pneumonia. It never occurred to anyone outside a lunatic asylum to slaughter cattle for foot-and-mouth disease. If this stringent course were adopted, the effect would be that all movement of cattle from Ireland would be prevented, and so a stop would be put to the cattle trade of Ireland; and, in order to secure the object in view, the system would have to be in operation for four or five years—or, at the very least, for 12 months. The evidence of the Irish witnesses showed pretty clearly that such a stringent law could not possibly be applied to Ireland, and for that reason the House of Lords modified the Bill in this respect in order to meet this objection. He hoped, therefore, that the House would deal in such a way with the clauses on foot-and-mouth disease as that no injury would accrue to the Irish export trade.

It being ten minutes before Seven of the clock, the Debate stood further adjourned till *this day.*

MAJOR NOLAN asked if the adjournment of this debate would make any change in the arrangement for bringing on the Queen's Colleges Vote?

THE CHANCELLOR OF THE EXCHEQUER said, it would, for this Bill must be proceeded with. If the debate finished on Thursday, the Queen's Colleges Vote would be taken on Friday morning.

MR. W. E. FORSTER wished to know, whether, if the debate on the Cattle Bill did not finish on Thursday, it would be continued at the Morning Sitting on Friday, which might not be a convenient time?

THE CHANCELLOR OF THE EXCHEQUER replied, that it would be no doubt more convenient to proceed with the debate on Friday, but that he could not say whether those hon. Members in whose names Notices stood on the Paper for that evening would give way for the purpose. He hoped, however, that the debate would close on Thursday.

The House suspended its Sitting at Seven of the clock.

The House resumed its sitting at Nine of the clock.

MOTIONS.

HYPOTHEC (SCOTLAND).

RESOLUTION.

MR. VANS AGNEW had risen to call attention to the Law of Hypothec in Scotland, and to move—

> "That, in the opinion of this House, the landlord's right of Hypothec for the rent of land in Scotland is detrimental to the interests of tenant farmers, and unnecessary to protect those of

landlords, and ought to be abolished, due provision being made to secure the rights of parties under existing contracts,"

when——

Notice taken, that 40 Members were not present; House counted, and 40 Members not being present,

House adjourned at five minutes after Nine o'clock.

HOUSE OF COMMONS,

Wednesday, 26th June, 1878.

MINUTES.]—Public Bills—*Second Reading*—Permissive Prohibitory Liquor [24], *put off;* Commutation of Tithes * [222].
Select Committee—Report—Epping Forest [No. 248].
Committee—Consecration of Churchyards Act (1867) Amendment [176], *debate adjourned.*
Committee—Report—Supreme Court of Judicature Act (Ireland) (1877) Amendment * [223]; Marriage Preliminaries (Scotland) * [86].
Third Reading—Innkeepers * [211], and *passed.*

ORDERS OF THE DAY.

PERMISSIVE PROHIBITORY LIQUOR BILL—[Bill 24.]

(*Sir Wilfrid Lawson, Sir Thomas Bazley, Mr. Johnston, Mr. Richard, Mr. Dalway, Dr. Cameron, Mr. Downing.*)

SECOND READING.

Order for Second Reading read.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Sir Wilfrid Lawson.*)

Mr. WHEELHOUSE, in rising to move that the Bill be read a second time that day three months, said, no one could be better pleased than he was to find his old opponent (Sir Wilfrid Lawson) back again in his place after his severe illness, ready to do battle for a cause which he had so much at heart; but which he (Mr. Wheelhouse) considered so objectionable. He would endeavour to confine himself as much as possible to the question of principle; but this was one of a class of Bills in which details and principle were so intermingled, that it was almost impossible to deal with the one without trenching upon the other. He had often thought, and, indeed, he was perfectly convinced, that the supporters of the hon. Baronet the Member for Carlisle did not at all appreciate or realize what the Bill sought to do. There was a general impression going abroad—though he could not say it was maintained as a general rule by the hon. Member for Carlisle, but it was largely fostered by some who sympathized in his views—to the effect that this so-called Permissive Bill was only a Bill for the purpose of shutting up, some time or other, the public-houses in different parts of the country. There could be no greater error or delusion. If the Bill were allowed to be carried into operation, not only could any meeting of ratepaying inhabitants, it might be by a majority of very few votes, and at the instigation of one individual mind, in any district, large or small, prevent the possibility of any person within such district getting a glass of beer or wine; but they could order that every distillery, every brewery and public-house, should be closed at once, and this, too, without the slightest attempt at compensation. Now, it was, in his mind, quite impossible to conceive any proposition more thoroughly tyrannous, coercive, and wasteful. What earthly right could there be for any man to assume to himself the power, unless there were some very cogent reason appertaining to the criminal, as distinguished from the civil law, to interfere with the domestic habits and relations of any other human being? When the total abstainer, as he so called himself, said that he required this to be done, he (Mr. Wheelhouse) should like to know who constituted him a judge for his neighbours or his friends? There was no reason why any person, if it so pleased him, should not become a total abstainer, or give up the use of the public-house. But that was no reason for interfering with the freedom of others to take reasonable refreshment of a kind supplied by public-houses. No man more utterly detested drunkenness, in all its forms and phases than he did, and to that feeling he attributed the fact that from his childhood he had followed, not the doctrines of total abstention, or of the teetotal school, as some preferred to call it, but the teaching of the school which inculcated the strictest temperance. He was brought up in the doctrine that liquors should be used moderately as refreshments, and not abused. He believed that if his hon. Friend the Member for Carlisle dealt with the question from that standpoint, instead of maintaining the principle indicated by the Bill, he would do far more to sow the seeds of temperance than anything which could result from the enactment of this coercive and restrictive measure. Men would rebel against legislation of this character, and they ought to be left to act with as perfect freedom on this question as on other matters of a domestic nature. With that argument he agreed and concurred. There were thousands and thousands of people in this country who, while they, equally with himself, detested drunkenness, would tell the House, as they had told him, that they considered the Bill an insult to their common sense and ordinary understanding; because it declared that, though they might have come to the years of discretion, they were not able to judge for themselves what they should drink. That argument was strong in its foundation, and he believed most firmly that no matter how long the hon. Member for Carlisle, or anybody else, took this Bill in hand, it never would be acceptable to the large majority of the people of England. What, he should like to know, would be said by those who were constantly preaching the doctrine of the utmost freedom of conscience and liberty of action, if, upon any other question than this, they were told that some legislator was desirous of bringing in a measure affecting their domestic habits? Why, those who were now acting with the hon. Member for Carlisle would be among the first who would say that it was an unjustifiable interference with individual liberty of action and freedom of conscience. But when they came to deal with the so-called Permissive Prohibitory Liquor Bill, all those arguments which they heard upon almost every platform of a certain character in England were thrown to the winds, and a Bill more coercive, more tyrannical, and more restrictive almost than anything Englishmen had ever known, was sought to be brought into operation. Was there any reason upon earth why a small majority in a district should have power to prevent a man from getting that which he considered was reasonable refreshment? Apply the regulation of the Bill to their clothes, to their meat, to their bread, or to any other of their domestic requirements, and what would then be said? They would be warned immediately not to interfere with individual freedom of action or personal liberty. Surely the longer they lived, and the more they saw of English society, the more certain must they be that such a measure as this never could find a place in the Statute Book of the country. Again, if it be right to legislate in this direction, was it reasonable to legislate against a particular class of the community? This was an attempt at class legislation, and of the very worst, because of the very weakest, kind. Nothing could interfere to prevent any Member of that House getting whatever he wanted from his own cellar, or at his own club. The public-house was the club of the wage-earning class. The amusements of the labourer were few and far between. He sincerely wished it were not so; but the fact was that the only place where he could meet his fellow-workmen in social converse, or where he could actually have even the small share of amusement which fell to the lot of the English labourer was the public-house. He could have understood if these Gentlemen proposed to begin at the other end of the social scale, and to shut up their own clubs on a Sunday. Let them try to do that. He should like to see the effort, and the effect. But they dared not say—"Shut up the Reform Club or the Carlton Club." They did not tell them that they should not be able to get their wine, beer, or spirit at any time of the day or night, subject only to the internal regulation of the clubs themselves; but, because the public-house was the poor man's club, this restrictive scheme was to be levelled at it. In all honesty, fairness, and justice, he said, commence that legislation with their own class, and not with classes of whose wants and requirements they could not have the same knowledge. This Bill proposed to deal with the question in such a way as to provide no compensation whatever for any interest which might be affected. By a very small majority, every brewery or distillery might be shut up in districts of London, or throughout the country, and by the vote of a small vestry or meeting of local ratepayers, a great brewery, like that of Messrs. Hanbury, might be closed at once without any compensation. Now, was that reasonable? Suppose such a regulation were to be applied to the palaces or parks of the nobility and gentry, what would be thought of the principle then? Yet they had just as much right to apply it to them as they had to apply it to breweries and public-houses; and if they once applied the principle, there was no limit to the oppression and tyranny to which it might lead. He should like to try to realize what would be the effect of such a measure as this in regard to such a case as his own. He was a very humble Member of the House; but he admitted that if such a principle were applied to him, either in his domestic life, his club life, or in any other capacity, he should feel that he was most oppressively ill-used; and, as far as a loyal servant of the Crown could do so, he should certainly rebel against it. Let hon. Members try to realize what their own feelings would be under such circumstances, and he had no doubt of the verdict. It was thought well, however, that they should have an occasional discussion on the subject. It enabled them to expose the real principle of the measure, and get the facts of the case dispersed throughout the length and breadth of the land. If the idea of the Bill were really carried out, he could well imagine its being said in some rural parsonage, or some quiet corner—"Oh, it will shut up the 'Blue Lion' or the 'Green Dragon,' and so people will be deprived of an opportunity of doing that which is very wrong and naughty—very wrong—or, at all events, very undesirable." But this was not by any means the whole truth, and it was not the proper way to look at this Bill. Most of them would acknowledge that, in certain places, licences might have been granted which it would have been better not to grant. But this was a totally different question, and one wholly apart from the inquiry into which they were then going. That inquiry was not whether the "Blue Lion" or the "Green Dragon" should be shut up; but whether, at the instance of a small majority, they should shut up all the public-houses in a particular district, either of the Metropolis or of the country. The very proposal of such a thing to the common sense of the House of Commons bespoke its own defeat. Whatever the minority might be to-day—and it might be increased or it might be reduced, it mattered little—the result was equally a foregone conclusion. There might be a majority of 76, or of 82, or of 93; but tests of that kind could be of no value, inasmuch as they were of no consequence or importance. They knew that the measure was not supported by the general voice of the country, but was promoted solely at the instance of a few individuals, who, well meaning though they be—and he would be sorry to impeach their motives—had no right to impose their views upon others. They belonged to certain teetotal bodies, and he hoped they were always willing to practice what they preached; but they knew perfectly well that however noisy they might be, however much money they might have at their disposal, however they might deluge the country with teetotal literature, no matter to what extent they carried out their organization through the agency of a well-paid secretary and corps of officials, some of whom were not total abstainers, though they talked so much about the principle—they knew, he repeated, perfectly well that the fate of this Bill was sealed; that after this day's discussion had concluded, it would be relegated to the tomb of the Capulets, with the possible chance of resurrection towards the expiring days of the next Session of Parliament. If this Bill passed, he believed that the trade which was now carried on under the regulation and supervision of every branch of magistrates in the country would become an illicit trade; that there would spring up sheebeen-houses in the hills, and that a trade, which was now respectably conducted, would immediately become inundated by all the smugglers, all the scoundrels, all the swindlers, who could be gathered together in any "private and convenient place," as lawyers said. That would be the consequence of what was sought to be done; and he thought he was right in saying that it was infinitely better that in this country an Englishman should even commit himself in public than that he should be permitted to do so in private and without the supervision of the neighbouring magistrate and his friends. As sure as the Bill became law, would private and illicit drinking largely increase. Extremes of domestic legislation, anything interfering with the habits of the people, especially with certain classes only, were to be deprecated in most circumstances, except there was the most condign and absolute necessity. If the restrictions sought to be enforced by this Bill were carried out, the whole country, from the Metropolis down to the smallest township or parish, would be up in arms against it; there would be continual agitation; and he opposed the Bill because he did not want to raise a revolutionary feeling, because he did not want to arouse dissatisfaction among certain classes of this country, because he did not want the finger of scorn pointed by the wage classes against the higher, as had been witnessed in days gone by in other countries as the result of class legislation. His earnest hope and endeavour at all times would be to legislate so that every man might be free to exercise his own sound judgment and discretion upon all his habits and customs, so long as those habits and customs did not interfere with the well-being of his neighbours. His inmost desire was that every man, whatever his position might be, should be as free in every degree as he himself liked to be free. Proceeding to deal with the details of the Bill, the hon. and learned Member said the proposal was that a paper should be left at each house, so that the occupier might categorically answer whether he was or was not in favour of the adoption of the Bill in his district; but everyone knew that papers left at houses were first examined to see whether they contained any demand for money, and, in cases where they did not, they frequently found their way behind the firegrate; and the result would be that, whereas all the teetotallers would vote in favour of the Bill, a large number of those who were opposed to it would not take the trouble to vote, so that the result would be no real indication of the feeling of the ratepayers generally, any more than were the Petitions which it was formerly the custom to present before the second reading — a practice, he was glad to observe, which had been discontinued on the present occasion. Then, again, the teetotal section of the community might agitate this question once, at all events, every year; but when the Bill had been adopted, there was to be no disturbance for three years. If it were right to ask the ratepayers every year whether they would have the Bill, surely it was equally right that they should be asked every year after its adoption, whether they were in favour of its continuance. He supposed he should be told that it was all matter of detail, which could be managed when the principle of the Bill had been accepted by its being read a second time; and that reminded him of the assurance given by a candidate at a Parliamentary Election, who promised, if elected, to vote for the second reading of the Permissive Bill, but announced his intention of opposing most of its clauses in Committee, and voting against the third reading, unless he could get it altered to his liking. By that plan he tried to secure the support of the teetotallers, and also to make it up with the publicans; but he need hardly say the candidate did neither, and he was glad to state the constituency took a proper view of his character, and declined to accept him as their Representative. What he desired to see was, that those who preached teetotalism for others should practise it themselves. He had no interest in either one or other branch of the trade, and it did not matter to him one straw what became of this or any other measure of a similar character, for he knew quite well—at least he hoped—he should never be in a position in which it could affect him in the slightest degree, as to what he should eat or drink, or in one of the habits of his life. But when he was told that this was a question of the innkeepers and the publicans, he repudiated the idea that it was in their interest that he was an opponent of the Bill, or that he looked at it from a publican's point of view. With him it was a question entirely for the public. A great many people were accustomed to attend the temperance meetings at Exeter Hall, whose practice did not equal their preaching in the matter of temperance. It was a common thing to find men preaching "goody, goody, goody," to their neighbours; but such men were the first to object when it was proposed to apply the principle to themselves. So long as he found people advocating the Permissive Bill, and, whilst expressing their preference for sherbet, coffee, and lemonade, quietly taking their brandy-and-water, he should distrust even the officials of the Association. He knew very well that amid the thousands who attended the meetings at Exeter Hall, a large proportion went from curiosity, others from a desire to see the chairman, or to recognize an old familiar friend, and that after the meeting was over, 99 out of every 100 had a very good laugh at the whole proceedings. Of course, such people held up their hands—both of them—because, having come to the meeting, they did not like to leave its organizers in the lurch; but after the meeting was over, a great many before going home, turned into Haxell's, or some of the places in the immediate neighbourhood, "in order to get just what is absolutely necessary—not more you know"—to sustain them after their efforts. The hon. Baronet knew very well that his following was only small, and he hoped it would decrease considerably. He believed the common sense of England was growing against all coercive measures of this kind; and he was perfectly certain that it was enlarging against this particular measure. The minority remained much the same, while the majority was stationary, because it could not well be larger. It was also worth noticing that the Church Temperance Association, and all who believed, as he did, in temperance *per se*—temperance both in habits and other ways—were one and all increasingly inclined to condemn measures of legislation such as this. The Bill received less support now than it did some years ago, when its provisions were not so well understood. In conclusion, the hon. and learned Member said, he objected to the Bill wholly and solely on the ground that it was an infringement of the rights of that class of the public who were compelled—especially the travelling and commercial classes—to rely, to a large extent, upon hotels and even small public-houses for those reasonable comforts and requirements which other classes found in their own homes. He trusted to the sound sense of the House not to permit class legislation of this kind to find a place on the Statute Book of the Kingdom. He had now only to move that the Bill be read that day three months.

Mr. A. GATHORNE-HARDY said, he approached the subject with a just sense of its importance; and he felt so deeply on the subject of temperance that if he felt that this measure were just and would be effectual, he should have great hesitation in not supporting it. Method and manners, however, had to be considered as well as the abstract question, and as he felt that the measure was neither just nor expedient, he should give it his opposition. The Preamble of the Bill stated that the "common sale of intoxicating liquors" was a fruitful source of crime, pauperism, insanity, and premature death. That he could not concede; but if the promoters of the Bill would substitute the word "intemperance" for the phrase "the common sale of intoxicating liquors," he should have nothing to quarrel with in the description in the Preamble. No one could doubt that crime was largely increased by intemperance, and on his first circuit in the Northern district he found that two-thirds of the crime tried by the Judge on that occasion was caused by intemperance. Therefore, any well-considered measure for the purpose of putting an end to that great blot on the national character was eminently worthy the attention of the Legislative Assembly. But it was not fit to ascribe, as the promoters of the measure did, what were the results of intemperance to the common sale of intoxicating liquors; it was not fit to charge the reasonable use with the consequences of the abuse. He would, moreover, contend that if the Preamble of the Bill were correct, the power to check the evil ought not to be intrusted to a body of the ratepayers; but Parliament of its own motion ought to stop the sale. If this drink was a poison, then the option ought not to be left to a meeting of ratepayers to determine whether the poison should be sold or not on its own responsibility. Such a measure, in order to commend itself to the support of the House, ought to have two requisites—it ought to be just, and it ought also to be effectual; and it ought to be just not only to the consumer, but also to the seller of the liquor. He could see no justice in destroying a trade which had received the sanction of the Legislature, and on the faith of which enormous sums of money had been spent. Within his own professional knowledge as much as £13,000 had been given for the good-will of one public-house, and all over the country enormous sums of money had been invested in the good-will of these licences, It would not, therefore, be just for that or any other Legislative Assembly to destroy that trade, without fully compensating those whose trade it destroyed, and no mention of compensation was made in this Bill. It might be said that that was a matter for Committee; but, as it had been computed that £50,000,000 would represent the amount, it was not proper to leave such a vital point to be dealt with by the Committee. Having proved that the Bill was unjust to the seller, he now asked was it just to the consumer? He denied that it was so, for he could not concede that because certain persons abused the good gifts of nature, therefore power should be given to deprive those who made a reasonable use of them. The Bill proposed that a majority of two-thirds of the inhabitants of a parish should have the power to stop the sale of liquor. If they succeeded in obtaining such a majority at a public meeting, they could stop the sale for three years; and, if they failed, they might re-open the question every year. He feared that such a provision, if passed, would raise strife between class and class; while the constant agitations and annual elections to which it would give rise would not be beneficial to the parishes in which they would be held. He also believed that if the Bill were carried, it would cause a great amount of unlicensed drinking, with all its evil consequences. The Legislature had two duties to discharge specially with reference to temperance. They ought first to see that the sale of intoxicating liquors was properly regulated, and that no abuse crept in which the action of the Legislature could prevent. But the second duty was still more important—to encourage habits of providence in the working classes, to increase education, and to promote the comfort of artizans' dwellings. It was in this way that a feeling would be promoted that temperance was respectable and drunkenness disgraceful. There was a time when the phrase "as drunk as a Lord" deservedly passed into a proverb; he hoped the change of social habits which had since ensued gave hope for the future, and that when education had done its work, temperance would be found to do its work without coercive legislation. It had been said by a great orator, who had the welfare of the people at heart, that he would rather see England free than sober. He (Mr. A. Gathorne-Hardy), on the other hand, felt so strongly the evils of intemperance that he was almost tempted to limit the freedom of the people if he thought that by doing so their sobriety would be secured. He did not, however, believe in the efficacy of coercive legislation, preferring, rather, to seek amelioration in the direction he had indicated; and, therefore, he had much pleasure in seconding the Amendment for the rejection of the Bill.

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day three months."—(*Mr. Wheelhouse.*)

Question proposed, "That the word 'now' stand part of the Question."

SIR ALEXANDER GORDON, in supporting the Bill, said, he must express his disappointment that, in the interval which had elapsed since the hon. and learned Member for Leeds (Mr. Wheelhouse) made a similar Motion in relation to the Bill, he had not discovered some new arguments which might be urged against it. The hon. and learned Member had merely repeated the platitudes he had indulged in two years ago. He talked a great deal about tyranny and coercion; but he contented himself with assertions, and adduced no arguments showing the injustice or impolicy of the measure. Indeed, there was a repetition of old arguments, for he spoke of a simple majority, or a very small majority, of the ratepayers bringing the Bill into operation, thus coercing the other half of the population; but such was not the fact. On the contrary, there must be a majority of two-thirds before the Act could be brought into operation, and on a former occasion the hon. Baronet the Member for Carlisle (Sir Wilfrid Lawson) had expressed his willingness at his (Sir Alexander Gordon's) suggestion, he believed, that the majority should be one of seven-ninths instead of two-thirds. That circumstance proved the hon. and learned Member could hardly have read the Bill before he proposed his Amendment. He (Sir Alexander Gordon) maintained that if so large a majority of the ratepayers of any town were in favour of living without the nuisance of a public-house amongst them, they were perfectly entitled to have their wishes carried into effect. The hon. and learned Member had talked a great deal about tyranny and coercion, and had also said that the supporters of the Bill did not appear to realize its provisions. But that was mere assertion and not argument. There already were a great many parishes in this country in which there were no public-houses, arising in some instances from the wish of the people themselves, and in others from the proprietors of the parish refusing to allow a public-house to exist on their property. Wherever that state of things prevailed the most beneficial consequences had resulted; and that, he thought, afforded a strong argument in favour of the Bill. Another argument in its favour was the fact that the Canadian Government, which was not confronted, as was the case here, by a powerful brewing interest, had since this measure was last discussed, brought in and carried through the Legislature a somewhat similar measure for the regulation, not the suppression, of the liquor traffic. The measure passed through the Canadian Parliament with but very little opposition and without a division, and the whole character and details of that measure were highly creditable both to the people and the Government of the Dominion, and they had thus set us an example it would be well for us to follow. He was afraid, however, that the brewing interest was too strongly represented in that House, and that there was now too little chance of overcoming it; whereas there did not exist in the Colonial Parliament sufficient, if any, interest of that kind to stop the progress of legislation. It was a mistake to speak of the Permissive Bill as a measure for the total suppression of the liquor traffic. If the principle of the measure did not obtain the support of a large majority of the inhabitants of any district there the Act would be a dead letter, and public-houses would continue to exist. There was no foundation in the allegation of the hon. and learned Member, that this measure was one of tyrannical interference with the freedom of the people. On the contrary, the argument had force the other way, for it was freedom from the tyranny of the present law that the promoters of the Permissive Bill desired. As to the charge of class legislation, he asserted that the strongest supporters of the Bill were the poor, who experienced most injury from the public-houses. He set his face entirely against coercive legislation; but he advocated the measure, because it would enable people to remove public-houses from their midst when they were convinced that they were injurious. They did not advocate any legislation to make total abstinence compulsory; but, believing that the Bill would do much to promote temperance among the people, he trusted that all who were in favour of that cause would give it their support on the present occasion, in order that the second reading might be carried, and that in Committee the subject would be so thoroughly considered and thrashed out that some commencement of legislation in the direction of the Bill might at length be arrived at.

Mr. W. H. JAMES: Sir, as I have on several previous occasions given the Bill my support, I am anxious not to record a silent vote. If I were to remark that there was a greater horror of drunkenness on this rather than the other side of this House I should be guilty of great impertinence, and there is no doubt, not only in Parliament, but through England, a strong feeling springing up, perhaps better expressed in the words of the hon. and learned Member for Sheffield (Mr. Roebuck) a few months ago, than in anything else, when he said that of all the evils which intercepted the prosperity and happiness of our country none were so great as that of drunkenness. It appears to me, however, that in the speech delivered by the hon. and learned Member for Leeds (Mr. Wheelhouse), in the objections which he has raised, not even the merit of novelty can be found; and I am only surprised that he has been unable to employ some new arguments from what, after the task he has now for so many years discharged, I can only term his inexhaustible repertoire. It is sometimes said we have had this Bill before us too often, and that it would be well for the House to proceed to a division upon it without debate. If its provisions have been discussed often, they will still have to be discussed more often, and so far is this controversy from now drawing to a close, that it can only be said to have just commenced. During the present Parliament an immense change of feeling has taken place. When the Home Secretary introduced his Licensing Bill four years since, all recollect the exciting and heated debates which then took place. Now, even in this Parliament, except for the paltry opposition of some dozen Members, the Irish Sunday Bill has all but passed; and before the close of the Session we can hardly suppose that its provisions will not have their legal and binding effect. It is a matter for regret that the Government have adopted with reference to it such a neutral course, and that the Opposition also have not afforded the aid they might have given by the matter being pressed. There is ground for serious complaint, and it originated with the reluctance on the part of Leaders on both sides to giving the publicans offence. It is rather remarkable that though both the hon. Member for Canterbury (Mr. A. Gathorne-Hardy) and the hon. and learned Member for Leeds are horror-stricken with regard to the evils of excessive drinking, neither of them has made any suggestion as to how they would propose to mitigate or modify them. The hon. Member for Canterbury considers that strict regulations should be imposed with regard to the character of the drink sold in the public-houses.

Mr. A. GATHORNE-HARDY: I did not say so. I said that if regulations were imposed, it should be the duty of Parliament to make regulations which should provide for the character of drinks sold in public-houses.

Mr. W. H. JAMES: Well, I look upon that as much the same thing. Under Lord Aberdare's legislation, this duty was awarded to a special class of Inspectors; but the Home Secretary repealed its provisions at once until it is now left to the ordinary duties of the police. A considerable part of the argument of the hon. and learned Member for Leeds was addressed to the effect that we ought to practice what we preach. I would respectfully ask him—Has he ever carried that out himself? Has he ever resided in the slums of Leeds, next door to a public-house? Could he only feel how he was suffering in his own pocket, in seeing himself and his family surrendered to these temptations, which have been so fruitful in disease and death, I do not think he would say there is much coercion in the Bill my hon. Friend has introduced. And in the presence of these enormous evils, the hon. and learned Member for Leeds does nothing. It is of no use to go into statistics with regard to the evils of drink. It is of no use quoting long figures of the apprehensions for drunkenness, and the countless horrors which almost lie between oneself and one's rest. That for these purposes, £147,000,000 annually is spent is quite enough. And when a Committee for the purpose of investigating the effects upon intemperance is appointed on the Motion of the Archbishop of Canterbury, in the House of Lords, it appears to me that it is only the *reductio ad absurdum* at which we have arrived. So far from good, the Committee will do harm. Without putting any experiments to the practical test, it will do little more than create confusion and uncertainty in facts which are already patent enough. In all matters relating to this class of legislation, I should like to see greater liberty of local action. But the Government will do nothing. There is no reason why, if a county town or district wishes to exist without public-houses, they should not be permitted to carry their wishes out. One neighbourhood may desire the Gothenburg system, another to try Sunday closing. For my own part, should any parish or place be willing to render themselves a *corpus vile* to attempt free licensing, I should have no objection that some trial might be given on which Parliament could form a reliable opinion. Why this Bill has found so much support in the North, and that so many Members from the counties of Durham and Northumberland give it their support is simply this—In many parishes in these northern counties landowners have had the good sense to shut the public-houses up, and uniformly with good effect. Why is a similar power to be refused to residents within a particular area in a town, where the evils of their presence are infinitely more felt? I know that there will always be difficulty in legislation which interferes with social habits; but the evils which this Bill attempts to remove are artificial adjuncts of a society which has passed through vast changes since they first came into existence, and can now be merely termed a "social mechanism for manufacturing drunkenness." The hon. and learned Member for Leeds has said much about the liberty of the subject. Freedom is all right, but people should recollect that liberty to do not as we like, but as we ought, is what we should endeavour to seek. True liberty consists in the selection of the various paths which lead to good. The shallow philosophy invoked by the hon. and learned Member for Leeds and his Friends is the liberty of doing wrong. If a man mutilates the body of his child, society interferes, and, as men have souls as well as bodies, why should society not step in to prevent and protect them from the evils the drink traffic places athwart their path? In former days this doctrine was thought commendable to great statesmen. There are many to quote from. To-night I will select but one example—not one who might be supposed an advocate of restraint or of coercion, but who is often held forth to reproach as an advocate of a most unrestrained and unrestricted freedom both in morals and legislation. Speaking last century on the Gin Act in the House of Lords, he said—

> "Vice, my Lords, is not properly to be taxed, but to be suppressed, and heavy taxes are sometimes the only means by which that suppression can be attained. Luxury, my Lords, may very properly be taxed. But the use of those things which are simply hurtful—hurtful in their own nature, and in every degree—is to be prohibited. If their liquors are so delicious that the people are tempted to their own destruction, let us at length, my Lords, secure them from these fatal draughts by bursting the vials that contain them . . . . Let us crush these artists in human slaughter, which have reconciled their countrymen to sickness and to ruin, and spread over the pitfalls of debauchery such baits as cannot be resisted . . . . When I consider, my Lords, the tendency of this Bill, I find it calculated only for the propagation of disease, the suppression of industry, and the destruction of mankind. For this purpose, my Lords, what could have been invented more efficacious than shops at which poison may be vended, poison so prepared as to please the palate, while it wastes the strength and kills only by intoxication?"

It is for those who turn aside from the evils of which Lord Chesterfield makes complaint to judge on what side the charge of coercion can be most effectually made out. Within the last few days Parliament has been engaged in discussing a measure for stamping out the cattle plague. How infinitely better to stamp out a plague by which thousands and thousands annually meet their death, rather than devoting all our time and energy to the extermination of an epidemic amongst a few beasts and sheep! It is sometimes said that we pay much attention to questions abroad, and that we neglect others at home. We have heard of the Bulgarian atrocities—atrocities perpetrated by Russians upon Mussulmans, and atrocities perpetrated in the South-Eastern part of Europe, which, while they have lasted, have drenched the larger portion of one of the fairest Provinces of the East with blood. I speak in no way the language of exaggeration; but we should arrive at something far more dreadful, were it possible to compute the sum total of lives lost in the last 25 years by drinking in this country, combined with an amount of human suffering which, compared with the atrocities of which I have spoken, would enter into a degree of comparison by no means unfavourable—a thought not too agreeable for Englishmen. And Parliament shall now do nothing! Some object to have agitation. Whatever can be the inconvenience of agitation? I do not doubt that if it did cause temporary inconvenience eventually it would produce a good result; and how small the annoyance of a triennial vote to the murders, assaults, batteries, and suicides, which are now happening all round us every night. While I give his Bill my support, I should like to make one observation on the tactics some of its supporters adopt, which prove occasionally a great mistake. There are organizations in this country who take up the war cry of "Votes for votes, or nothing for nothing," with regard to those who seek the honour of a seat in this House. These tactics are, I believe, a mistake, and have more than once proved fatal to the cause many supporters of temperance legislation have warmly at heart. Why should a Member be so driven by external pressure that, for the sake of his own independence, a choice of action is scarcely left? It is unwise that those who decline to cross this Rubicon, and find themselves unable to give the Bill their support, should in future electoral proceedings have a black chalk against their names, unless absolutely pledged even before they have entered this House. This Bill will never pass by such methods. It must rely more on the creation of a sound public opinion, which alone, preceding legislation, is all-powerful. We all know quite well what will be the result of the expected division. It is already almost a foregone conclusion. There was an old Scotch Member once asked if he had ever changed his views by anything he had heard in this House? He said, in reply, he had often changed his views, but never his vote; and we know very well that there will be no great change in the recorded division of to-night either upon this side or that. What remains is, that the advocates of this Bill should still continue working, and not continue to abate our efforts till we have placed under the control of the public what hitherto has been and is exercised by the caprice of the publican. Can anyone justify the system by which you place in the hands of the magistrates—a body by no means always beyond suspicion—the power of granting a licence worth £1,800 or £2,000 to any individual, who, at the same time, will create paupers all round him. Soon —there are already signs not wanting— there will be an improvement in the tone of public opinion on this question. There has been in the South Northumberland Election. My friend, Mr. Grey, who, from unusual circumstances, is not now in this House, and whose absence, so far as he is personally concerned, all must regret, knows perfectly well that had he not promised to give this Bill his support, he would never have had a ghost of a chance. Again, we can look with satisfaction at what has occurred at Southampton, where we see symptoms that the ill-assorted match between Beer and the Bible will be soon separated by an everlasting divorce, and the ministers of the Christian Church will repudiate all identification with the votaries of the prize-ring and aristocratic touts. It is only by perpetual repetition that a sound public opinion will be formed on this question; and if to some its standard seems unattainable, and that within calculable time there seems small chance of the Bill passing, it is merely by this standard that any of the incidents of temperance legislation will become practicable, and contribute towards increased freedom, morality, and greater prosperity amongst all classes of the people.

MR. BARRAN also supported the Bill, and all the more readily, because he felt that, in advocating a measure of the kind, he was not advocating a measure which was merely based on Party politics or for Party purposes. The question with which they had to deal was very much higher than the ordinary questions of Party politics. It was one which was admitted by all sections of the community, by all sections of the Christian Church, by our Judges, and by many of our magistrates, to be one of paramount and pressing importance; and believing, as he did, that their opinion was a correct one, he ventured to make a few remarks in connection with this great question. His hon. and learned Colleague (Mr. Wheelhouse) had dwelt upon one important aspect of it; and whilst he (Mr. Barran) was strongly in favour of some such Bill as that under consideration, he could not lose sight of the fact that in the event of its becoming law, it would very largely interfere with the private rights of both property and individuals. The hon. and learned Member had referred to some of the large establishments founded for the purpose of producing intoxicating liquors to supply the demands of the public; and he very naturally asked what would become of these establishments, if power were placed in the hands of a small knot of ratepayers of closing them either for a time, or for ever? If this Bill contemplated anything of that kind, he should have no doubt as to whether he should support the second reading of it; but he did not take it that it was going to be confined to the narrow limits of a parish, or to a knot of men living in a parish, to decide whether Truman, Hanbury, Buxton, and Co., or other large brewing firms, were to be exterminated at one fell swoop. If ever this Bill were passed, he took it that that question would have to be decided by a much broader area. It would have to be considered on its merits, and whenever the time should come when the inhabitants of any district should have to decide the question, he was quite sure that considerations of rights of property and individuals would not be entirely ignored. ["No, no!"] The hon. and learned Member for Leeds rather demurred to that opinion. All he could say was, that as an Englishman, he had full confidence in the love of fair play which prevailed among his countrymen, and believed that they would give fair compensation to all persons who would be prejudiced, pecuniarily or socially, by the operation of the Bill. Whilst he admitted that that was an important feature, he did not lose sight of the fact that there was a much more important consideration than the value of property or the convenience of a portion of the public, and that was the good of the general community. He knew from his own personal observation and from practical experience, that the evils resulting from the drink traffic were of such a nature that measures of a stringent character were required, and would be justified in dealing with them. At the present time, from some cause or other—and he believed it was mainly from excessive indulgence in drink—we had to provide a very large increase of accommodation in our lunatic asylums, and our criminal statistics were not as satisfactory as they ought to be considering the progress of education. The administration of our Poor Laws, too, was beset with great difficulty, because so many of the recipients of poor relief were those who were brought into a state of poverty through their improvident and drinking habits. Towards the maintenance of our lunatic asylums, our police, and our Poor Laws, the ratepayers were called upon to contribute, and when a demand was made for a poor rate, a county rate, or a gaol rate, the person on whom it was made was not permitted to exercise his right as a citizen in defiance of the law; but was compelled to contribute to the funds which were necessary for the maintenance of the institutions which were largely provided to meet the growing wants of those who come to poverty, crime, and lunacy, through free indulgence in intoxicating drinks. Any man who had ever acted as a magistrate knew that a large proportion of the crime which he had to deal with was the result of drinking habits. It was no uncommon thing to find that a person had been convicted of drunkenness 20, 30, or 40 times, and such person had to be maintained at the public expense. He believed that as they diminished temptation they would, in the same proportion, diminish misery and crime. He thought his hon. and learned Colleague —who opposed the Bill—had not put himself to the trouble of becoming personally acquainted with the facts which rendered the Bill necessary. He (Mr. Barran) had made it his business to visit some of the gin palaces in this Metropolis, and he had gone farther. He had followed some of the frequenters to their homes; he had seen the kind of homes they lived in, and the wretchedness which surrounded their every-day life. He believed we were largely the creatures of circumstances; and if, by untoward circumstances, we found ourselves surrounded by temptations such as many of those to whom he referred found themselves, he was quite sure it was the duty of those who sympathized with the people thus tempted to seek, as far as possible, to introduce such measures as would relieve them from temptation which they could not resist, and thereby place them in a better and safer position. It was objected that if the Bill passed, the question to be settled under it would be decided by a small majority. Well, he could not call a majority of two-thirds small; but if it were so considered, let it be enlarged and made three-fourths. They were not anxious about a figure; what they were anxious about was a principle. They were desirous to give all classes of the community the right to say whether they were or were not in favour of having public-houses in their neighbourhood. He, therefore, felt justified in giving his vote for this measure, because it was not to be left in the hands of the people. His hon. and learned Colleague wanted to know what would be thought if men were to go and invade the private residence of a gentleman which was situated in his park? He (Mr. Barran) did not know that anyone wanted to invade the prèmises of any private gentleman; certainly, he and those who acted with him on this question did not. This was a question which would have to be dealt with by the public for the public, and not by private individuals against the interests of private individuals. The hon. and learned Gentleman (Mr Wheelhouse) had referred to this question being annually discussed; but he (Mr. Barran) thought it was a great advantage that it should be discussed annually. The more it was ventilated, and the better it was understood, the more it would be supported; and, therefore, although the hon. and learned Gentleman might make light of this subject, and talk of the numbers who voted periodically for the Bill, it was quite clear that numbers in that House did not always indicate the strength of the cause which was advocated. They had been engaged yesterday in the discussion of an important Bill affecting the food supply of the nation. That was a most interesting subject; but before the people could obtain a supply of meat, it would be necessary that they should have the means of doing so, and those means were much diminished by the action of the liquor trade. Unfortunately, the crime of the drunkard was visited upon others. The wife, the sons, and daughters, were too frequently compelled to live in want and misery in consequence; and he hoped that hon. Members, by supporting the Bill, would protect those who, from their youth and position, were utterly unable to protect themselves. He should give his hearty support to the Bill.

MR. GREGORY said, he could by no means agree with the hon. Member for Leeds (Mr. Barran), that either the House, or the public, derived any advantage from the annual discussion of this measure, and he did not think its supporters were well advised in bringing it on year after year, seeing that its discussion was practically exhausted. Today it was supported by the old illustrations, met by the same old arguments, and probably, before the debate had closed, it would be enlivened by the same old jokes. In fact, the discussion of the Bill was practically useless, and he regretted it should be brought forward to the disadvantage of the one which stood next on the Paper, and which was of a much more practical character. He was as much in favour of the spread of temperance as anyone could be, and should be glad to see any practical measure that could be framed that would tend to mitigate drunkenness; but they had done a great deal in that respect by the legislation of the last few years, and it should be remembered in that time that 5,000 or 6,000 beerhouses had been extinguished. The question was, whether they were to go to the extent proposed by the Bill? One hon. Member had said that it was not a Bill of a parochial character. It was, at all events, to be put in Motion by the ratepayers, and in the district in which it was adopted, no alcoholic liquors were to be sold for any purpose whatever, even if prescribed by a medical man, and for the most innocent purpose. Then, again, the Bill was an attack on the rights of property. The licences of these houses were matters of property. The trade had been legalized and regulated for years past, and, having done that, this Bill proposed to abrogate that right without giving a shadow of compensation. Beyond that, in his opinion, great evils would result from agitation in all districts of the country, which would be increased by the perpetual struggles arising, as he did not believe there would be much probability of getting the majority prescribed by the Bill in many localities. Having regard to the steps which had been already taken for the promotion of temperance, to the fact that licences were not now so readily granted by magistrates as was formerly the case, and that greater supervision was exercised over the sale of spirituous liquors, he thought it both impolitic and unnecessary to pass it, inasmuch as no advantage would be gained by the adoption of such stringent measures as were proposed by the Bill, nor would they command public sympathy or support, and for that reason he felt bound to give his vote against the second reading.

MR. E. JENKINS said, there should be no surprise at the persistency of the advocates of this measure in bringing it forward, when the continual degradation going on amongst the people was remembered. It became necessary, on account of the crime which prevailed amongst all classes, owing to the influence of liquor. He was suprised that the hon. and learned Member for Leeds (Mr. Wheelhouse), and others on the Government side of the House, should take it for granted that there was no cause and no circumstance which justified the hon. Baronet (Sir Wilfrid Lawson) in bringing forward his proposal. The hon. and learned Member had called the Preamble of the Bill a "fustian" Preamble. Did it not, however, recite a state of things which was true, and which was as sad and melancholy as any in the history of the country. It was upon facts, which could not be controverted by any hon. Member, that the hon. Baronet based his measure; and he (Mr. E. Jenkins) did not think that in addressing the House, he was addressing hon. Members who were not aware of the facts; because, unhappily, the evil was now so great, that it was almost impossible for a man to go out without his skirts being soiled by it. The question was, whether the proposition which was brought forward was one designed to cope with the evil which existed, and to cope with it in a legitimate manner. He had listened with great care to the arguments of the hon. and learned Member, and he must say that when he had picked them to pieces, he found them to consist of what, to use a term known amongst the hon. and learned Member's constituents, and which might be more intelligible to him, might be called "shoddy." The hon. and learned Member asked what reason was there to interfere with the domestic rules of the people? Well, the fact was, that there were many human beings whose domestic habits might, in the interest of their neighbours, be interfered with under the existing law. It was the custom of the Legislature to pass laws imposing certain restrictions on the ordinary liberty of the subject, when proof was given that the evils attendant on the exercise of that liberty were so great as to call for restriction. Supposing one had a lady as a neighbour, and she kept 60 or 70 cats, would it not be necessary to interfere with domestic rules so as to abate a nuisance? If a man kept fowls which crowed at an early hour in the morning, was it not necessary for the public convenience to interfere with his domestic rules? And if a man went home drunk and beat his wife with a poker, surely that was a matter in which the law was allowed to interfere with the domestic rules of the family? These were only humorous illustrations of the principle of the law that, although they had a basis of personal freedom, yet that was limited by the consideration as to how far it was right and just that it should be exercised, and it ought not to interfere with the general convenience and happiness of the public. The question between the hon. and learned Member for Leeds and those who supported the Bill was, whether or not there was proposed such an interference with the private liberty of the subject as was illegitimate, or was there a tendency on their part to evade sufficient proof that the evil which existed was so great that it was necessary there should be certain restrictions placed on the ordinary liberty of the people? He supported the Bill on the principle that every locality ought to be allowed to protect itself against what was admitted to be a danger and an evil, and he thought that, at the same time, care should be taken not needlessly to interfere with the liberty of the subject—the proposal was not to prevent the sale of intoxicating liquors, but simply to allow the existing licences to drop, and to prevent other licences being granted without the sanction of the ratepayers. It had been said that this measure was an undue infraction of the liberty of the subject; but then came in the question of expediency, whether, in view of the monstrous nature of the evil, it was not necessary and right that this step should be taken? The hon and learned Member for Leeds seemed to think that he was conducting a prosecution; but he (Mr. E. Jenkins) would point out that the hon. and learned Member was really on his defence. If the hon. and learned Member came forward as the chartered advocate of the publican interest, he would tell him that he came forward in defence of the party which was sowing the seeds of crime, of immorality, and of physical deterioration, and which led to an increased responsibility on the part of the inhabitants. It was not the advocates of the Bill, but the advocates of the publicans, that ought to be put on their defence. The hon. and learned Member for Leeds, cheered by the melancholy fervour of the hon. and gallant Admiral (Sir William Edmonstone) had laid down this view—that he was vindicating freedom of action and liberty of conscience. [Sir WILLIAM EDMONSTONE: Hear, hear.] Surely it was no infringement of the liberty of the subject, if they asked that some sort of restriction should be placed upon the evil done by the public-houses in the districts in which they were situated, so as to prevent its increase. What the hon. and learned Member, however, seemed to desire, was unlimited freedom to do evil, and this was one of the things which the law did not permit. Then the hon. and learned Gentleman proceeded to draw the distinction between the working man who took his beer at a public-house and the member of a club, talking about the unfairness of closing public-houses, and thereby preventing the working classes from obtaining a supply of intoxicating liquor; but he (Mr. E. Jenkins) thought that, looking at the rate of wages of the working classes of this country during the last 10 years, he believed that if a man wished to drink in moderation, and his money did not burn in his pocket, he might very well supply himself in the same manner as the classes above him, and have beer or spirits in his house, so as to prevent the necessity of resorting to what the Americans called "a bar for perpendicular drinking." In order to do that, he need only have exercised the same amount of restraint as some professional men had done whose income was about the same as the wages of skilled artizans. It was only those degraded persons who spent immediately every penny they could lay their hands on, who would have the misused liberty interfered with. The arguments of his hon. and learned Friend would, therefore, he contended, be found to have no substantial basis. The hon. and learned Member seemed also to object to the organization of the supporters of the measure; but he would ask whether there was no organization in opposition to it? At the recent Election in Southampton, it was a fact, and it was stated by the organ of the Licensed Victuallers' Association, that the licensed victuallers gave a trade vote and recorded their suffrages for the Conservative candidate—now an hon. Member—although some of them were professed Liberals and Radicals. It was possible that there were some objections to the details of this Bill; but he ventured to point out that it would be desirable to pass the Bill a second time and amend it in Committee. The liquor traffic stood on a different footing to all other trades, and the measure laid down a principle which was perfectly sound—that the localities should have a local control over the manufacture and increase of public-houses. It was not going too far to say that they had a right to ask, on behalf of localities, that they should have the right to oppose the increase of the liquor trade, so long as the rights of minorities were respected.

SIR GEORGE CAMPBELL said, he had never yet given a vote on the Bill. He had said that he doubted about it, because he was against putting restrictions on the club-houses of the poor, when the club-houses of the rich were left free. He asked the permission of the House to state why he now intended to record his vote for the Bill. He felt that the evil arising from drink was so frightful, that some measure ought to be adopted to deal with it. He could not say that he was satisfied with the Bill as it stood; but there were some points which were capable of being amended in Committee. He regarded the present licensing system as intolerable, and what he best liked in the Bill was that it interfered with what he regarded as the "spurious" rights of vested property in the right of selling liquor. The present licensing laws were a scandal and an abuse, seeing that the granting of a licence frequently doubled and trebled the value of the property. He proposed to vote for the Bill—first, because he thought, if passed, it would put an end to the licensing system, and to that vested right in the sale of drink which should be put an end to; and, secondly and especially, because he thought it contained the right and proper principle—namely, local self-government and local regulation in the matter. He would not like the Bill to be actually passed in its present form; but he believed by amendment in Committee they could, out of its principle, devise means of regulating this traffic in the interest of the public and not for any particular section of the community.

MR. C. S. PARKER said, the two hon. Members who spoke last had dealt with the question in a way that was familiar to the House. They did not approve the Bill in its present form, but meant to vote for it because they were in favour of the principle. The hon. Member for Dundee (Mr. Edward Jenkins) said that the principle of the measure was to give some local control over the drink traffic. If that were all, he (Mr. Parker) was in favour of that principle. But the Bill contained another principle, that this local control must take no other form than that of total prohibition. This seemed to him so unpractical, that he could not support the second reading. On seven previous occasions the constituency which he represented had recorded its vote in favour of the Bill; and if his predecessor, now Lord Kinnaird, had still been there, no doubt the voice of the city of Perth would still have been given in support of it. He was, therefore, the more careful to say distinctly that his constituents had in no respect gone back from their loyalty to the cause of temperance, as against trade interests in excessive drinking. They still held that the misery and mischief arising from intemperance, through crime, disease, pauperism, lunacy, and general physical and moral degradation, were so frightful, and on such a scale, as to justify legislation more stringent than had yet found its way into the Statute Book. But the more extensive and deep-rooted were the evils with which they had to deal, the more necessary was it to consider well before jumping to the conclusion that this particular measure was most likely to remove those evils. There might be some presumption in favour of the Bill from its having been now for many years adopted by the most active section of the Temperance Party. On the other hand, there was a presumption against it from the frequent and emphatic rejection of the measure by this and the previous House of Commons. Setting these opposite presumptions, then, one against the other, let them look more closely at the Bill itself, with a view to judging whether, in the not very probable event of its becoming law, it would work for good. And first, why was it that the Bill appeared year after year always exactly in the same form, notwithstanding that objections to it had been pointed out, and admitted to be valid, even by its friends? Many of its supporters admitted that if, by a popular vote, the whole liquor trade throughout a district were suddenly destroyed, some compensation would be due for vested interests—say, for a brewery that must be closed. Why was this not dealt with in the Bill? Surely it was a matter of principle, either to give or to refuse compensation. Again, few denied that there should be some distinction in favour of alcoholic stimulants prescribed by medical advice. Why did not the Bill provide for this? In the Canadian Act, referred to by the hon. and gallant Member for East Aberdeenshire (Sir Alexander Gordon), there was an exemption for the wholesale trade. Did the promoters of this Bill intend, or not, to give a similar exemption? That was an important question, because it would make a great difference in the claims for compensation. In answer to such criticisms, he would be told—"Only vote for the second reading of the Bill, and amend it as you please in Committee." But what he wanted to know was, why hon. Members having charge of the Bill, and hearing these objections taken from year to year, had not themselves made the necessary Amendments, so as to present a more practicable measure to the House? But passing from that point, as they were now upon the second reading, let him ask what was the principle of the Bill? He supposed the hon. Baronet would allow him to take it from a paper circulated yesterday, which said—

> "The present licensing system recognizes the right of the inhabitants to oppose the establishment of places for the sale of liquor in their midst, but it gives them no really operative veto. This Bill proposes to give an effective veto."

Well, but, as he read the Bill, he did not think it would give an effective veto; on the contrary, if it gave a veto at all, it could hardly give a more ineffective veto, and he would tell the House why. Because it was not a particular, but a general veto. The Bill gave no power to say—"This, that, or the other liquor-shop is a nuisance; we will not have it in our midst." It gave no power to say—"We have too many liquor-shops; half the number, or a third of the number, would be enough; we will have no more." It gave no power to say—"These liquor-shops are open too long, day and night; we will have shorter hours." It only professed to give power to say—"We will have no liquor-shops at all, no brewers, no wine merchants, none but temperance hotels." But would the Bill give real power even to say this? He could not think so. The exercise of such a power would be so extreme, the resistance to a system of stringent total prohibition would appear so reasonable, and would be so strong, that in most districts, and especially in the largest, and in those where the traffic was doing most harm, to obtain a majority of two-thirds would be impossible, and the permissive veto would be a mere illusion. Still more would this be the case if a majority of three-fourths, as proposed by one hon. Member, or of seven-ninths, as suggested by another, were required. Thus, in most places the Bill would have no effect at all to restrain excessive drinking. The hon. Baronet the Member for Carlisle would, no doubt, reply, as often before—If the effect would be so small, if the power would be so seldom used, all the more reason is there why you should let me have my little Bill, if only—he thought he had heard him use this argument—to please or to amuse me. No one was more willing than he was to please his hon. Friend, whom they were all glad to see again among them, or to amuse him, though the hon. Baronet was much more able to amuse them, on that or any more fitting occasion. But the question was a serious one—how to deal with the most crying evil of our times. He (Mr. Parker) could not think it was dealing with it wisely, when proposing to give for the first time to local majorities control over the sale of an article of daily consumption, to give that control in a form which combined the maximum of threatened interference with a minimum of actual result. Was it well to grant extraordinary powers that were not likely to be used, in such a form as to keep up a yearly conflict between those who wished to use them and a minority, or majority, as the case might be, who were determined to resist? Why force the ratepayers to choose between total prohibition and leaving things as they were? Why not rather give them a large and practical control, guarded against abuse, but enabling them to diminish as might be found desirable the number of licences, to distinguish between those which were and those which were not a nuisance to neighbours, and to regulate also the hours of traffic in accordance with local public opinion? Such powers, it was true, could not be exercised by a plebiscite; but they might be intrusted to persons elected by and responsible to the ratepayers, and either associated with, or in time, if it were found to work well, taking the place of the present licensing boards. He would appeal, not to his hon. Friend (Sir Wilfrid Lawson), for he knew that was useless, but to the friends of temperance legislation, whether they had not been long enough hammering at this particular Bill without one Amendment being made upon it as the result of all the discussion it had undergone? Would it not be better to re-cast their measure in the light of past debates, so as to present it in a form more acceptable to public opinion? For his own part, as there was this year no alternative before the House, and as he was most unwilling to discourage temperance reformers, he would not vote against the Bill, but would abstain from voting at all.

SIR WILFRID LAWSON: My hon. Friend who has just sat down (Mr. C. S. Parker) has asked why this Bill reappears year after year in the same form? The reason is, that those who support it believe it to be a just, and at the same time a practical, measure; and when the hon. Member talks about the desirability of introducing a more practical measure, why does he not himself bring one forward, and submit it to the House? It is all very well for hon. Members to make speeches against the Permissive Bill—in fact, if I were opposed to it, I could make a much more effective speech against it than has the hon. Member; but it is not quite so easy to carry out its object. Those who long so much for something that they call more practical, should bring in a Bill of their own, should submit to have it thrown out, and should agitate the country to see whether it would be acceptable or not. That would be a more rational proceeding than simply finding fault with the only measure on the subject, whatever may be its form, which is now obtaining a large amount of support out-of-doors. Last year I had not an opportunity of bringing the Bill forward, as I postponed it in favour of the Irish Sunday Closing Bill, in the hope of obtaining the support of my Friends from Ireland. But this Session, observing that that Bill had been brought forward at 13 Sittings, had occupied 40 odd hours in discussion, and had caused 35 divisions, I thought the question was getting into calm water, and that it would soon be floating over the Bar of the House of Lords; and, therefore, I could not understand that there was any reason for my postponing this Bill. Probably, some hon. Members may wish that I had postponed the Permissive Bill until another Parliament assembles, which I hope will receive it more favouraby than the present one has done; but I have not felt myself justified in doing that, because every year that I bring the measure forward I obtain more support, and my case becomes stronger. Hon. Members who have spoken have not thoroughly dealt with the evils which this Bill is intended to deal with. It is sometimes said that the time of the House ought not to be taken up with the discussion of a measure like this; but I do think that when the House has spent the greater part of the Session in endeavouring to right the wrongs of Roumelians, Roumanians, and Bulgarians, there can be no harm in endeavouring during a few short hours of one afternoon to right the wrongs of some 35,000,000 of the people of this country. The hon. and learned Member for Liskeard (Mr. Courtney) this day week brought forward his Bill to remove the disabilities attaching to women with regard to the franchise. That was thrown out, and the argument which to some extent induced that result was, that women were already truly and faithfully represented in the House. I now speak for the women and children of this country, by far the larger portion of the community, and the hon. and learned Member for Leeds, with all his enthusiasm for public-houses, will hardly say that the ginshops are beneficial to the women and children of the Kingdom. It is, therefore, all the more incumbent on the House, after rejecting the Bill of the hon. and learned Member for Liskeard, to help in righting the wrongs of those large sections of the people. I will not weary the House with statistics of the drunkenness of the country. I will only say I do not think that evil has diminished in a manner which can be satisfactory to anyone. After a generation of improved education, improved sanitary laws, and extended popular rights, nobody will get up and say that intemperance has much decreased, or that the country is not still in a most debased condition. Let hon. Members look at what took place at the end of last year in Dundee, when the Town Council ordered, seemingly, as a matter of course—at all events, it was taken as such—that six new barrows should be provided for use on the occasion of the New Year's festivities. In a Christian land, it was expected that a certain number of Christian people would be knocked senseless by drink, and would require to be conveyed like pigs to the lock-up. There is no use in hon. Members sitting in this House, and lamenting this state of things, if they will pass no measure that will remedy it. A friend of mine last Tuesday searched a few London and provincial newspapers to see what a single day's work of the drink-traffic was, and he found 59 cases of wife-beating, attempts at murder, poisoning, brutal assaults, and other crimes. Are not these horrors enough to induce us to turn our attention to this very useful work? What does this House think of £140,000,000 sterling being spent annually in drink, when trade is in its present depressed condition—when one person in every 30 was a pauper at the beginning of the year? Since 1870 I calculate that £1,000,000,000 has been spent in the consumption of intoxicating liquors; and the licensed victuallers, whose only business it is to keep the people sober, succeeded last year in making drunk 350,000 persons, who were taken up by the police; and it is estimated that for every drunken person who was so taken up, there were about 10 other drunkards who did not get into the hands of the police. My hon. and learned Friend the Member for Leeds (Mr. Wheelhouse), during one of the Irish Sunday Closing debates, said he did not care a straw for the opinions of Bishops; but he could not say that the opinion of such a Bishop as the Bishop of Manchester did not carry weight. Only a fortnight ago, that Prelate said—

> "The times, although very bad, apparently were not bad for the public-house. He really did not know what was to become of this country if these drinking habits of the people were to continue, and he was afraid the curse was spreading, like a leprosy, everywhere. Therefore, when we said that we hoped God would give back to England its days of prosperity, he was not quite sure that days of prosperity ever would come back to England, or ever ought to come back to England, until England had become a sober and industrial land."

What I complain of is, that we suffer from too much legislation on this matter. The trade in liquor is made a monopoly by law. No one in the House, except those who are engaged in the trade, can sell one drop of liquor without a licence, and the justices of the peace have power to set up whom they like as publicans, or prevent whom they like from selling drink. That seems to me to be a large amount of power to place in the hands of a few men, and it certainly does not give satisfaction. What happened only recently? A certain Baronet, named Sir Coutts Lindsay, wanted to set up in the drink trade. He has a gallery, where people go to see what is called fine art; and, as he explained to the magistrates, when people had gone through the gallery they found themselves so used up, that they required something to re-animate them. I am not at all surprised at that, and he said that especially clergymen and ladies required refreshment. He had his case stated with all the eloquence of counsel; but he could not prevail on the magistrates, and the licence was refused. There was a most tremendous row, and I never saw such an amount of fine writing in the public Press upon any other subject, except the Eastern Question, as there was about this case. The result was, that the magistrates were attacked from all sides, and in the end the licence was granted; and if we were to go into that refreshment-room now, no doubt we should find the clergymen and ladies enjoying themselves to their hearts' content. It is a remarkable thing, however, that when the Press were attacking the magistrates for refusing this licence in this case, they did not come to the conclusion that it is just as unfair to force a ginshop upon people who do not want it, as it was to refuse a refreshment-room to people who did want it. It seems to me that the proper authority to deal with the question as to whether there should or should not be public-houses in any particular district are the people who live in this district. To arrive at such a state of things is the sole end and aim of this Bill. As to details, I care not for them, and I will not be led away by invidious speeches into the discussion of them. I say to the last hon. Member who spoke, that on the second reading of a Bill, according to Parliamentary practice, we discuss principles only; and when we get into Committee, as I hope the House will allow me to do upon this Bill, I will discuss details then. I say that the opinion of two-thirds of the population in any place should decide the question of public-houses or no public-houses. I have described the principle of my Bill, and I hope hon. Members understand it. The right hon. Member for Greenwich once said that the question could not be dealt with by heroic measures; but this Bill is not a heroic remedy—it is simplicity and common sense itself. Why, I ask, is public opinion to be overridden by justices of the peace more in this matter than in any other? We have heard very lately a debate about Church Establishments, which was very dear to many thoughtful and earnest people, and what was the doctrine then laid down by the noble Marquess the Leader of the Opposition and by the right hon. Member for Greenwich? Why, that a Church Establishment was to stand for fall according to the opinion of the people of Scotland. Why, then, are not the people of England and Scotland to be allowed to decide whether they should have public-houses among them or not? Are public-houses more sacred institutions than the Church? Again, we hear a great deal of County Boards, although that Bill has gone by the Board; and the hon. Member for South Norfolk (Mr. Clare Read), who is the father of that Bill, proposed to take away many powers from the magistrates. I listened to him attentively; but when he came to the licensing question, he declined to touch it. He was wise in his generation, for the representative of the taxpayer may touch everything but the licensing system. It does not follow that if you grant this power I ask for, that it will be taken up all at once. It will work gradually, and if the Bill proves to be good in one place, it will be then tried elsewhere; but if it is bad, then it will not be followed out. As to permissive legislation, look at the Agricultural Holdings Bill. I remember, when the Prime Minister brought in that Bill, he said it was one of the greatest feats of his public life. That, of course, was before he had gone to the Congress at Berlin. What was that Bill? It was a permissive measure, which anybody might contract themselves out of—as many landowners did as soon as it was passed. Well, the Permissive Liquor Bill does not enforce anything, but only gives the people the power of enforcing it in their own districts. If hon. Members will look at the Bill, they will find on the back of it the name of Mr. M'Carthy Downing, who was one of the most determined opponents of the Irish Sunday Closing Bill; but he sees that it is only just and fair that this matter should be left to the people themselves. This House has already sanctioned the principle of the Permissive Bill. The Opposition has voted for total Sunday closing in Ireland, because they said the people of Ireland were in favour of it. ["No, no!"] Well, but that was what they said. If the Irish people are to have the right of closing public-houses on

Sunday, the English people ought to have the right, if they chose, of being able to close public-houses on Monday and Tuesday, or on any other day of the week. I do ask the House to trust the people of England as much as they are willing to trust the people of Ireland. We know, as a fact, that wherever drink shops have been removed, the people have been better, and happier, and mere orderly, than before. In some cases, the great landlords have done this, and instead of their being abused by people saying that they rob the poor man of his beer, they are praised as great benefactors to their fellow-countrymen, and their names are in all the churches. All I ask, too, is that the poor man should have the same choice as the rich man as to whether there should be public-houses in their neighbourhood or not. At the late Election for Worcester, the present Member for that borough was interviewed by agitators for the Permissive Bill. The hon. Member told the deputation that he owned property in a large village, where there was a public-house belonging to him to which the people objected; that he took the public-house away; and that when he went down the other day, to see what the effect of that step was, he found that everybody was delighted with the result, and thanked him for it. The hon. Gentleman added that he had another public-house there, which he would also remove, if the people desired him to do so; and yet he concluded by telling his interviewers that he had not made up his mind whether he would vote for the Permissive Bill or not. After that, however, the hon. Gentleman can hardly help doing so, for why should he not extend to the whole country what he found to be so beneficial on his own estate? I have not heard to-day anything about the failure of the Maine Liquor Laws; but I was prepared for it, and have many documents to prove that it is a great success. I will not trouble the House with that; but I must allude to some of the objections to the Bill. It is said it will only be put into operation where it is not wanted —in places where the people are steady, industrious, and where there are no public-houses. But those are the very places that the publicans like to go to and establish a tap. I want to prevent that, and thus prevent drunkenness. We have heard something of the rights of minorities, but what do you think of one or two magistrates overriding the wishes of a whole district? I think the rule of the majorities is a rough-and-ready way of doing justice, and the only satisfactory way I know of. In his able maiden speech, the hon. Member for Canterbury (Mr. A. Gathorne-Hardy) has referred to the compensation argument. Now, the publicans have been enjoying a lucrative monopoly for many years, and it must be remembered that a monopoly pays itself. The holders of this monopoly have made money, and to compensate them would be to pay them twice over. In the case of Scotland, when the public-houses were closed on Sundays, and the publicans lost one-seventh of their profits, no one talked of compensation. It must have been a serious loss, for a Scotchman likes whiskey on Sunday better than on any other day. The hon. and learned Member for Limerick said that the closing of public-houses in Ireland on Sunday would ruin 18,000 Irish publicans, but no one spoke of compensation in that case. But if, when the Bill gets into Committee, a good case can be made out for compensation, I shall not oppose compensation clauses being added. Then, my Bill has been described as a Bill of confiscation; but the confiscation is on the other side, considering that £140,000,000 has been taken away from useful purposes, and poured into the pockets of the liquor trade. I do not wish this Bill of mine to be run as a rival against anybody else's Bill, dealing with parts of the same subject. It runs on all fours with any other Bill that is brought forward to limit the sale of drink. I voted two years ago, and will do so again, for the hon. Member for Newcastle's (Mr. J. Cowen's) Bill for taking away the power of magistrates to grant licences, and giving it to Boards. But that measure would not render it less desirable that the ratepayers should have a veto on the liquor traffic of their districts. Again, among other Bills, one was brought in last year by the hon. Member for Nottingham (Mr. Isaac)—and I was glad to see it come from him, as he is interested in the liquor trade—to allow the publicans to dilute their gin with as much water as they liked, and sell it for the same money as before. That is a very good Bill; for if they made their gin all water, it would please me. I would support all such measures. It probably will be said that I should try to gain my end by moral suasion. For instance, the hon. Member for Scarborough (Sir Harcourt Johnstone) promotes the establishment of cocoa shops, and, no doubt, is a great cocoa drinker himself; but surely it will be better to have no public-houses near his cocoa shops? I say that if licences are to be granted for the good of the public, let the people have something to say about the matter. If that is not to be, let us understand that we are legislating for a class, and for a trade. But when we look at the enormity of the evil which confronts us, and read of the horrors that are going on from day to day as the result of drinking, I appeal to the House whether it is not worth while to try something like my Bill? I ask you to try my Bill, because the principle of it has never failed where it has been tried. I say that there is a great political power growing up in this country in connection with this traffic which ought to be stopped. I say that a great band of monopolists have grown up in this country, fostered by the legislation, which is out of place in a Constitutional country. What happens when there is a vacancy in any constituency? Why, a candidate announces that he has secured the support of the licensed victuallers; but we never hear it said that he has secured the support of the tailors or the grocers. The hon. Member for North Staffordshire (Mr. Hanbury), who has ably and suitably represented Tamworth, made some time ago a noteworthy statement —I allude to Tamworth—and the hon. Member said that at Tamworth even a donkey would be preferred to anyone else who could be returned, if it bore the honoured name of Bass or Allsopp. I have noticed that at the licensed victuallers' dinners, orators get up boldly and say that their trade has put the present Government into power, and will keep it there as long as it does what it is told to do. No doubt, four years ago, the Government came into Office upon a spirited foreign policy and a spirituous domestic policy. That was a good cry, and was crowned by a great and triumphal success. Four years have passed, however, since then, and I warn the Government not to trust too much to the spirituous domestic policy cry, for during that period more has been said and written about temperance than during any corresponding period, although, perhaps, the spirited foreign policy will be again the winning horse. I hope no one will say this measure of mine is a measure brought in and supported only by teetotallers. That has been said; but now the hon. and learned Member for Leeds complains that the supporters of the Bill are not teetotallers, and so no one is to bring in the Bill. Teetotallers are objected to because they are teetotalers, and other people, supporters of the Bill, are objected to because they are not teetotallers. I am not going to lecture on teetotalism, because I know I should be casting the seed upon very stony ground if I did. I can appreciate teetotallers, and I rejoice to see them becoming more political every day; but I call for aid from all good citizens desiring to do the best they can for the country. Nothing has more astonished me than the way the Press speaks of me. I am called the Apostle of Temperance; but I do not claim any such title. Every hon. Member of this House is as much in favour of temperance as I am, and the hon. and learned Member for Leeds is as much an Apostle of Temperance as I am. The man who is not in favour of temperance must be little better than a fiend, and I hope, therefore, I shall not be called "the Apostle of Temperance" any more, seeing that I look upon it as a personal insult. I am a promoter of prohibition. Our position upon this question of temperance is like the Eastern Question, for all we differ about is the best way of arriving at the same conclusion. Both Parties in this House are for peace, but do not agree upon the means of attaining it. One Party says the way to preserve peace is by having large fleets and armies massed against the enemy; while the other Party think that people likely to fight should not be prepared for it, and should keep away from each other as much as possible. But we are all for peace, and so with regard to temperance. The Home Secretary the other day told a deputation that no one was more aware of the evils of the liquor traffic than he was, and when he goes into Lancashire no one speaks more beautifully than he does as a temperance supporter; but the way he promotes temperance when he is in power is by opening the houses half-an-hour longer. Why do the gallant Irish Eleven oppose the Sunday Closing Bill? I have heard them over and over again say they oppose it because they believe it will increase drunkenness. The hon. Member for Cavan (Mr. Biggar) said that most of these Eleven have an interest in the sale of liquor; and that being the case, their conduct in opposing a Bill because it will lead to a greater sale of liquor is, I must say, the most disinterested, self-denying, and patriotic I have ever known. Why, the licensed victuallers are themselves Apostles of Temperance. I read reports of their meetings at their annual dinners, and I frequently see it stated by them —and the statement is received with thunders of applause — that there is nothing that the trade detests so much as a drunken man. I believe them. If there were no drunken men, there would be little to say against the trade, and they could make their profits quietly and without any trouble. What they want is not a drunken man, but a man who will drink the largest quantity and pay for it without getting drunk—in their eyes, the highest type of a perfect Christian. The hon. Member for North Staffordshire (Mr. Hanbury) is another Apostle of Temperance, and he has brought in a Bill to get rid of grocers' licences. A very good Bill, too, and I shall support it. But let me say this. People say that a great deal of drunkenness arises from the grocers' licences, and that the problem of the origin of all evil which has so long puzzled philosophers has at length been solved. The author of evil is the licensed grocer. I do not, however, believe that there is a jot or a tittle of evidence that has been produced to show that the licensed grocer is more mischievous than a licensed victualler. However, I shall help the licensed victuallers to abuse the grocers, until we get rid of them, and then I shall turn round on the licensed victuallers. In the case of the grocers, it appears to the licensed victuallers that it is not the drink that does the harm, but the men who sell it. It is, at any rate, a very extraordinary thing that 4,000 or 5,000 grocers should have done in so short a time all the mischief ascribed to them. I do not know what the House will do with regard to this measure. The right hon. Gentleman the Home Secretary, I suppose, will not meddle with the question; but I would point out that the Conservatives are, as a rule, supported by the clergy of the Church of England, and, consequently, ought to do something satisfactory to please them. A Memorial has been presented to the Archbishops, signed by 15,000 clergymen, calling attention to the evils of intemperance, and asking for something to be done to check the evil. I think, therefore, that my Tory Friends ought to do something in this matter. I now turn to the Liberal Party. My Liberal Friends are almost all united in thinking that the agricultural labourers should be intrusted with political power, and it is very queer for them to say that they cannot trust these people with the decision of such a small matter as the liquor traffic, and as to whether they will have a public-house or not in their neighbourhood. It appears to me to be a gross inconsistency. This liquor traffic is a question which is exciting a great deal more interest out-of-doors than it does in this House. The publicans call me a stump orator, but I do not care for the name. The Prime Minister once said that it was impossible to get 12 men to come together to discuss politics; but, wherever I go, I find crowded and enthusiastic meetings on the liquor question. I can tell hon. Members that there are many electors in the country who will put this question as one of the first importance in their political creed. It is difficult for the people to get at what the Leaders of our two great Parties are after, or to make out the exact points of difference between them; and, therefore, there is a good reason why the electors should strike out some programme for themselves at their Elections. If they wish to go back to the old lines, would it not then be better at once to get that question of the Permissive Bill out of the way? We might then go to the country on the cohesion of Turkey, the Protectorate of Asia Minor, the Asian mystery, or whatever else we pleased, and fight out our differences. The noble Lord the Member for the County of Down has been returned, to the astonishment of the Liberal Party, because he was more liberal in a good sense than they were—that is to say, he was ready to vote for the Permissive Bill, which many Liberal voters thought more important than tenant-right or Disestablishment. Although the noble

Lord gave many promises—indeed, he was about the most promising man in the House—no doubt, his promise as to this Bill contributed greatly to secure his election. At Southampton, again, the other day there were electors who voted for the man who, as they believed, would do the most to promote sobriety among the people; the Liberals had a great meeting, and there were to be seen several eminent clergymen who threw aside their politics for the temperance question. In the North of England this question is the question of the day; and in Scotland no candidate, whether Liberal or Conservative, would have much chance if he did not support that mode of enfranchising the people. It is said that we are fanatics, and I want to vindicate myself and my Friends from the charge. An old writer in 1657 wrote—

> "We seemed to be steeped in liquors, or to be the dizzy island. We drink as if we were nothing but sponges."

And 100 years later, another writer, Mr. Lecky, speaks as follows :—

> "About 1724 the passion for gin-drinking appears to have infected the masses of the population, and it spread with the rapidity and the violence of an epidemic. Small as is the place which this fact occupies in English history, it was, probably, if we consider all the consequences which have flowed from it, the most momentous in that of the 18th century—incomparably more so than any event in the purely political or military annals of the country."—[Page 479, vol. 1.]

This temperance question is the greatest question of the day, and involves the happiness of the nation. We are told that it is hopeless to fight against the great power of the trade; but I will remind the House that a measure virtually the same as mine has been already passed in the Dominion of Canada, and it is not to be supposed that the people of the United Kingdom will regard the fight against the liquor trade as hopeless. We have still to grapple with a monstrous evil, and I ask this House to trust the people of England, in the same manner as the Canadian Parliament has trusted the people of that country, with the means of protecting themselves from its ravages, and I ask this as a matter of justice. I know that if this Bill passes it will do injury to a great vested interest; but I am sure it will tend to advance that which the Prime Minister once said was the sole object of political power—the social welfare and happiness of the people of this country.

Sir MATTHEW WHITE RIDLEY wished, before the debate closed, to say a few words on the part of Her Majesty's Government. He admitted that this was one of the most important subjects which could be submitted to the consideration of the House of Commons, and certainly thought the hon. Baronet (Sir Wilfrid Lawson), whose earnestness in the matter they were all bound to admire, whatever they might think of his wisdom, could not complain of the earnest spirit of the debate. The hon. Baronet had referred to the number of Memorials sent into the House from public meetings, and had called attention to the zealous manner in which the ministers of religion, and clergymen of every denomination, were exerting themselves in the cause of sobriety and temperance, as showing the necessity for the application of some remedy to the evil which they all regretted, and to which they would all gladly put an end. He entirely admitted all that, for no one could deny that the subject was one upon which every Member of the House was responsible, and that any Government would deserve well of the country which, in however small and gradual a manner, did something to put down the intemperance which cursed this country. But when they came to consider how that remedy could be practically applied, they encountered more difficulties than the jovial and light-hearted Baronet seemed to suppose. It was not enough to say here is an evil, and then vote for any measure which might be proposed for its cure. On the contrary, they were bound to consider if the scheme proposed as a remedy were practical; and, above all, if it were one likely to be acquiesced in by a free people. The proposal contained in the present Bill was not one of that character. On the contrary, despite the sarcasm of the hon. Baronet, it was one that did violence to the common sense of the English people; and that was, he thought, a sufficient answer, if there were not many others, to the advocates of this Bill. At the same time, he could not entirely agree with what had been said by the hon. and learned Member for Leeds (Mr. Wheelhouse), as to class legislation, and that under no circumstances should Parliament pass a measure affecting in this respect one class more than another; for, in his opinion, there were classes in the community for whom exceptional legislation was necessary. There were, however, misconceptions on the part of the advocates of the measure with respect to the position of the publicans in the matter. In the first place, it was supposed that they had an interest in encouraging drunkenness, whereas it was their interest to have all drunken and disorderly persons excluded from the public-houses. The hon. Baronet had referred to the beneficent effects which had resulted from the exercise of their rights by proprietors who had excluded public-houses from territory over which they had jurisdiction. Now, he (Sir Matthew W. Ridley) himself had had some personal experience of a district in Northumberland which the hon. Baronet said was so happily situated; but he would point out that that implied an intelligent despotism, which was hardly the kind of government which the hon. Baronet would altogether advocate; and he could scarcely conceive how they were by that Bill to establish or extend such a system. The hon. Baronet knew how a proprietor could regulate the labour of such a district, and gradually meet the wants of the people, and how he would be able to influence for good the persons who were dependent on him in a manner which no licensing board, or meeting convened under that Bill, could possibly do. In short, the argument was altogether fallacious, and had no force whatever. He would not follow the hon. Baronet, or the Liberal Member for Leeds (Mr. Barran), into the question of how far crime was to be attributed to intemperance; but he could not but think that a measure of this kind would be inoperative in the districts and localities in which it would be most required. In several districts in which there was an orderly, industrious, and well-conducted population, the measure would not be at all required; whereas, in densely-populated districts, such as the parts of Westminster in the immediate neighbourhood of the House, its adoption would be impossible, for certainly they would have no chance of being able to enforce it there. As to the measure adopted in Canada, if it were a well-considered and carefully-drawn measure, that was more than could be said of the Bill of the hon. Baronet. Considerable misapprehension seemed to prevail with regard to the action of the magistrates, and it was said by the hon. Baronet that the licensing laws were administered by them in the interest of the publicans. He would not dwell upon the subject at any great length, as he altogether denied, on the part of the magistracy, the truth of that unfair charge. The magistrates, in every case, were willing, and were indeed bound, to take into consideration the views of the inhabitants of the district, and one great remedy for the existing evil would be to increase the power of the magistrates. The hon. Baronet knew well enough that, in some cases, they had no power to refuse licences, and there was another class of licences which were working incalculable evils over which they had no power whatever. It would, perhaps, be desirable that all these licences should be placed under the control of the magistrates. One effect of this measure would be to cause continual agitation in the different districts, and he could not see well how it could be otherwise. In a district where the two-thirds majority was obtained, the party defeated would endeavour to make up for lost ground, and even would go the length of importing population into the district to give support to their views. If the temperance party failed, they would lose no opportunity of increasing their strength, and would move heaven and earth to secure a different result next year, and there would thus be a bitter division of parties in the district. Unless they resolved to put down the traffic altogether, was it not in the interests of public order and morality that they should have properly-licensed and well-conducted houses? It was said that the publicans were not sufficiently interested, or did not sufficiently interest themselves, in excluding improper characters from their houses. He could not conceive any means which more directly would tend to such a result than placing a certain district upon a temporary tenure—perhaps for a year or two years—in which case they would not get men of character to embark their capital in the trade, and it would fall into the hands of men who would live from hand to mouth, and who would be compelled to hold out most extravagant temptations to the working classes. The hon. Baronet said he would be willing to consider the question of compensation; but he (Sir Matthew W. Ridley) suspected that when the localities came to see what compensation meant, they would realize what a large matter it was. Even if they got rid of the difficulty in the first instance, he could not see how it would be possible for them to sweep away a publican's business, subsequently established, without granting him compensation for the contracts into which he might have entered, and therefore without extending the principle still further. They all admitted the importance of the question, and Parliament would be ready to do everything in its power to discourage intemperance; but they ought, in the first place, to wait until they had before them the Reports of the Select Committee at present sitting in the House of Lords, and of the Royal Commission appointed to inquire into the question of grocers' licences, a question which was exciting a great deal of interest in Scotland. When they had those Reports before them, they might be able to frame a measure that would carry out these recommendations; for, in the present state of public feeling, it was quite impossible they could leave the matter untouched. He deprecated the conduct of hon. Members in giving a vote in favour of the Bill as a protest against the evils of drunkenness. However much they might differ as to means, they were all apostles of temperance; but he thought it was not consistent with the responsibility which attached to a Member of that House, to vote for a measure the principle of which he disapproved, and which he knew could never be carried out, merely as a protest against intemperance. He need hardly say that Government could not support the present Bill.

Question put.

The House *divided;* Ayes 115; Noes 278: Majority 194.—(Div. List, No. 187.)

Words *added.*

Main Question, as amended, put, and *agreed to.*

Second Reading *put off* for three months.

CONSECRATION OF CHURCHYARDS ACT (1867) AMENDMENT BILL.

(*Mr. Monk, Mr. Forsyth.*)

[BILL 176.] COMMITTEE.

Order for Committee read.

MR. MONK, in moving that the House go into Committee on the Bill, said, he was willing, in that event, to at once report Progress, so as to give time to the hon. and learned Member for Denbighshire (Mr. Osborne Morgan) to consider what Amendments he might wish to propose. The House had approved the principle of the Bill on the second reading, which was passed with scarcely a dissentient voice.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."—(*Mr. Monk.*)

MR. OSBORNE MORGAN opposed the Motion, as he looked upon the Bill as one of a group of innocent-looking, but futile measures which were being brought forward by Churchmen to settle what was known as the burial question. The time was come when they should altogether abolish the distinction between consecrated and unconsecrated ground.

It being a quarter of an hour before Six of the clock, the Debate stood adjourned till *To-morrow.*

House adjourned at five minutes before Six o'clock.

HOUSE OF LORDS,

Thursday, 27th June, 1878.

MINUTES.]—PUBLIC BILLS—*First Reading*—Innkeepers * (136); Public Works Loans (Ireland) Act (1877) Amendment * (137).

Second Reading — Dental Practitioners (123); Prison Authorities Act, 1874, Amendment * (134).

Committee—Bills of Sale * (80-135); Highways (South Wales) * (98).

Third Reading — Poor Law Amendment Act (1876) Amendment (99); Monuments (Metropolis) (No. 2) * (100); Local Government (Ireland) Provisional Order Confirmation (Artizans' and Labourers' Dwellings) (Cork) * (117); Local Government Provisional Orders (Belper Union, &c.) * (118); Local Government Provisional Orders (Bournemouth, &c.) * (119), and *passed.*

DENTAL PRACTITIONERS BILL.

(*The Lord Selborne.*)

(NO. 123.) SECOND READING.

Order of the Day for the Second Reading, read.

THE MARQUESS OF LANSDOWNE, in moving that the Bill be now read a second time, said, its object was to effect an arrangement by which the public would have some security that persons calling themselves dentists, and practising as such, were qualified; and the way they proposed to set to work was by establishing a system of registration something like that which existed in regard to the Medical Profession. The persons who would be entitled to have their names placed on the register would be, in the first instance, licentiates in dental surgery of any Royal College of Surgeons in England, in Edinburgh, or in Ireland, and of any University in the United Kingdom, or of the Faculty of Physicians and Surgeons in Glasgow. In addition they proposed to protect the interests of existing practitioners in dentistry, either as a separate profession or in conjunction with the practices of medicine, surgery, or pharmacy, by enabling anybody who was now in *bonâ fide* practice to be put on the register on making a proper declaration. The Bill had received a good deal of support from the profession, and it had been favourably viewed by the General Medical Council, under whose supervision the examinations would take place. He, therefore, hoped their Lordships would give the Bill a second reading. The Medical Act of the noble Duke (the Duke of Richmond and Gordon) dealt with the subject of dentistry, though not so fully as his Bill; but he was glad to believe the objects the Government had in view were very much the same as his own, and provided certain Amendments in regard to the machinery of the registration were accepted, he understood the noble Duke was prepared to view his Bill favourably. He proposed to put the Bill for Committee to-morrow (Friday), with a view to the Amendments being inserted, and its being reprinted. The noble Duke and their Lordships would then be able to see how the Bill stood in its complete shape.

Moved, "That the Bill be now read 2ª."—(*The Marquess of Lansdowne.*)

THE DUKE OF RICHMOND AND GORDON thought the proposal suggested by the noble Marquess was the most convenient one to adopt; and as he understood he would be agreeable to put into the Bill certain Amendments which he would propose, he had little doubt he should be able to give him all the assistance he might require in passing the Bill.

Motion *agreed to ;* Bill read 2ª accordingly, and *committed* to a Committee of the Whole House *To-morrow.*

POOR LAW AMENDMENT ACT (1876) AMENDMENT BILL—(No. 99.)

(*The Earl of Shaftesbury.*)

THIRD READING.

Order of the Day for the Third Reading, read.

Moved, "That the Bill be now read 3ª."—(*The Earl of Shaftesbury.*)

THE EARL OF MORLEY said, he had given Notice of an Amendment to reject the Bill, and he put that Motion on the Paper on two grounds. In the first place, it appeared to him desirable that the House should have another opportunity of expressing an opinion on the measure, especially considering the small majority by which the Amendments of his noble Friend (Earl Fortescue) were rejected the other day. In the second place, the arguments which were brought forward in favour of those Amendments were never answered, though they went to the very principle, as well as to the details of the Bill. The noble Duke (the Duke of Richmond and Gordon) begged the question entirely when he said his great wish was to encourage friendly societies. They all wished to encourage them, and such a remark had the sympathy of every one in their Lordships' House. But that was not the question, and to make such a general observation was no answer to the arguments which had been put forward in favour of the Amendments. The Bill, as it stood, was entirely opposed to the principles which had, up to the present time, regulated the distribution of poor relief; and no answer had been given to the apprehensions which had been expressed that the results which would follow the adoption of the Bill would be very dangerous.

It had been said that although the stricter principles of the Poor Law were applicable 30 or 40 years ago, yet it was desirable that a milder system should now be introduced. For his own part, he ventured to think their Lordships would view the admission of the principle of this Bill as a dangerous proposal. The Poor Law undertook to maintain at the public expense every man who was destitute, and had no property of his own, and that was the fundamental principle of their system of Poor Law relief. But this Bill made a distinction when a man became a pauper between the savings which he might have invested in a friendly society and the money he had placed elsewhere. Now, he should like to know—because he had not yet heard either from the noble Duke, or the noble Earl who had charge of the Bill—what were the grounds upon which this distinction was defended. If an individual had invested money in an ordinary insurance company or any savings bank, when he became a pauper the money was an available asset; and on what grounds were they to distinguish between the money invested in those institutions and money which had been invested in a friendly society? To his mind, both cases stood on precisely the same footing; and if they once admitted the principle that the whole property of a man was not liable when he became a pauper, then, in his opinion, they were entering upon a dangerous and an unsound principle. He at once admitted that in the administration of the Poor Law large discretion must be left in the hands of the Guardians. At the same time he hoped their Lordships would not, without careful and due consideration, abandon a principle which had been the foundation of the present law, and for which, if once abandoned, it would be very difficult to substitute a better principle. While saying this, he was also bound to admit that from both sides of the House he had received requests not to press his Motion for the rejection of the Bill to a division. He was in the hands of the House as to what he should do, though he begged to say that it would apparently be consulting the wishes of many noble Lords if he withdrew his Amendment, and enabled the noble Earl (Earl Fortescue) to proceed with the alterations he proposed to make in the provisions of the Bill.

EARL NELSON, as one of those who voted in favour of the Amendment of the noble Earl (Earl Fortescue) the other night, was glad to hear the determination of the noble Earl not to press his Motion for the entire rejection of the Bill to a division, but to give their Lordships another opportunity of expressing an opinion with regard to that Amendment. The object of the Amendment moved the other night was to limit the effect of the Bill to the case of pauper lunatics, which was a very different matter to the case of ordinary paupers. When a man went into a lunatic asylum the charges were very heavy, and they would soon absorb the whole of his savings, which would not be the case if he was simply a pauper receiving ordinary poor relief. In the case of a lunatic asylum, he believed that sometimes as much as 9*s.* and 10*s.* a-week was charged; and this would, therefore, soon take up what savings the man might have made.

THE EARL OF REDESDALE said, he did not think the Amendments which were proposed really met the case; and, at all events, he did not see they had any assurance that those Amendments would be carried, if they allowed the Bill to proceed. He, therefore, suggested that they should not allow it to be read a third time, but that they should re-commit the Bill for the purpose of inserting the Amendments. One provision in the Bill he strongly objected to, and that was the proposal that the decision as to those who were to receive relief was to be left, not with the Guardians, but to the friendly societies. The Bill was one which, if it was to be dealt with at all, ought to be dealt with thoroughly and carefully; and he thought that, in the circumstances, instead of attempting to amend the measure on the third reading, the wiser course would be simply to re-commit the Bill.

THE DUKE OF RICHMOND AND GORDON said, the course proposed by the noble Earl (the Earl of Redesdale) was not a wise one, and that he could not agree to it. In fact, it was the very course which, in his opinion, ought not to be taken. If the Bill was really so bad a measure as his noble Friend appeared to think it, what would be the use of re-committing it at all? A great deal had been said about the alleged departure from the principle of the Poor Law which was involved in the Bill; but, if the proposal made last Monday by the noble Earl opposite (Earl Fortescue) were adopted by the House, the officers of friendly societies would not be able to hand over the savings of pauper lunatics to their wives and families, who would then, of necessity, have to be taken into the workhouse; and in that way a much larger charge would be thrown upon the rates. The present law, which the Bill now under discussion sought to remedy, was the result of an alteration made two years ago in the then existing Statute. From the reign of Queen Elizabeth, down to 1876, if a man was a subscriber to friendly societies, and became an inmate of a lunatic asylum, there were no means whatever of getting at the savings which he contributed to those bodies. The societies would not pay his money to anyone while the man himself remained a lunatic; but, when he was restored to health and left the asylum, his savings were handed over to him. This state of matters was altered in 1876; but the alteration had been found to work so prejudicially upon friendly societies, and through those societies upon the working classes, that it had been considered necessary to introduce the present Bill.

The Earl of KIMBERLEY said, he regarded the measure before their Lordships as one which struck at the very root of a proper administration of the Poor Laws. The argument which had just been used in support of the Bill by the noble Duke opposite (the Duke of Richmond and Gordon), appeared to him to be most unsound. Everyone concerned in the administration of the Poor Law knew that it was the commonest thing in the world to hear it said—"Oh! if this or that poor man gets half-a-crown or two shillings a-week, joined to the little which he himself earns, he will not go to the workhouse; and the result will be that we shall not have to pay so much in rates." Anything more unsound than that he could scarcely imagine; but it was the same principle, though not in so aggravated a form, which the noble Duke advocated—the principle of making outdoor relief supplement weekly earnings, and of looking to some machinery which would, if possible, keep people off the rates. The true principle, however, which was involved, and which alone should be acted upon, in the administration of the Poor Laws, was that relief should be given in those cases, and in those cases only, where men were destitute.

Lord FORBES thought that the noble Earl opposite (the Earl of Shaftesbury), instead of taking up their Lordships' time with any mere motion of philanthropy or sentiment, had brought the matter to an issue on the ground of political economy. Though it might appear, on the first blush of the matter, that the noble Earl (Earl Fortescue) and his supporters were the advocates of a proper administration of the Poor Law, he believed that what they proposed would tend to increase, and not to diminish, pauperism, and to add to the rates instead of relieving existing burdens.

Earl STANHOPE said, there were hundreds of clubs and friendly societies which were not only of a very questionable character, but which were utterly unsound; and no real service would be done to the working classes by passing any law which would bolster up those establishments.

Earl FORTESCUE hoped that his noble Friend (the Earl of Morley), who had given Notice to move that the Bill be read a third time that day three months, would substitute for that proposal the admirable course suggested by the Chairman of Committees (the Earl of Redesdale). He quite agreed with the latter noble Earl that, if their Lordships passed the third reading of the Bill without re-committing it, they would be in great danger of having the measure placed upon the Statute Book in such a shape that it would conflict with every principle upon which Poor Law Administration was founded. He had been charged with inconsistency, because he had shown himself ready to assent to the principle of the Bill, so far as pauper lunatics were concerned; but it was only fair to remember that, in some previous observations upon the subject, he admitted that the case of such lunatics rested upon somewhat different grounds from that of others whom the measure would affect. There was precedent, moreover, for making an exception in favour of pauper lunatics; for, under the law as it stood, the justices were empowered to recognize the claims of the wives and children of such lunatics as a first charge upon the income and property of the latter. The justices might make an order for the maintenance of a pauper lunatic, to be paid out of any property or income which he might have in addition to what was required for the support of his wife and children. There was practical reason and expediency in the power which the justices thus possessed. Great additional depression might affect the mind of a pauper lunatic if he thought that his wife and family would have to go to the workhouse as one of the consequences of his affliction; and, in that way, the chances of his recovery might be seriously diminished. Instead, therefore, of proposing the rejection of the Bill—which, he admitted, strict logical consistency would have called upon him to do—he had simply proposed last Monday night that the operation of the measure should be limited to pauper lunatics. With reference to what had fallen from the Lord President of the Council (the Duke of Richmond and Gordon), it appeared to him that the noble Duke was distinctly reversing the policy the Local Government Board had recently recommended in their admirable Circular showing the advantage resulting from a more restricted administration of out-door relief, and had strangely forgotten the principles upon which he acted — or upon which he hoped and presumed he acted—while at the head of the Poor Law Board; but he now seemed to favour bounties on one particular kind of thrift in the case of all paupers. He ventured to say that he and many noble Lords on the same side of the House were quite as alive to the value of friendly societies as the noble Duke was; but he protested against the principle of bounties. Those societies ought to be allowed to stand on their own merits; and he did not believe they would be injured in the least if the Bill were not to pass. If his noble Friend (the Earl of Redesdale) did not put the suggestion he had made into the form of a Motion, he would himself move that the Bill be re-committed.

THE EARL OF MORLEY said, he was willing to withdraw his Amendment in favour of that of the noble Earl who had just spoken.

LORD DUNSANY said, the noble Earl the ex-Secretary of State for the Colonies (the Earl of Kimberley) had spoken of the Bill as being objectionable, because it seemed to him to be reverting to the old fallacy of out-door relief; but he begged to call the attention of their Lordships to the important fact that, in a great many of the Unions of the Metropolis, out-door relief was now entirely abandoned. With what object had it been given up? It had been given up with the view of promoting greater providence among the working classes; and he could not approve of or support anything which would tend to interfere with the development of that providence. He thought it would be unwise in their Lordships not to pass, as it was, the Bill which they were now considering. The savings in friendly societies relieved the rates by preventing persons from coming on the Union; and, in many cases, it was the influence of the wife which induced the husband to make deposits in those societies. If, when the breadwinner was laid aside, the little provision which had been thus made through the friendly societies was to be carried off by the Poor Law Guardians—and taken when most required—a very heavy blow would be struck at that thrift and care on the part of the working classes which he desired to see encouraged. The cultivation of provident habits among those classes would ultimately do far more to reduce the poor rates than anything else. Indeed, it was in such a direction, and by such means, that many in London looked forward to an almost total extinction of those rates as possible; and in this view of the matter, the question was an eminently practical and important one. As to the point of principle, it seemed to him that there was but little to be said. It had been stated that, unless a man were destitute, his claim to relief was invalid; but those who made this statement did not at present act fully up to their own contention. In nine cases out of ten working men subscribed to burial funds, and, in his opinion, that was often a great waste of money; but, if the point of principle was to be rigidly enforced, there were circumstances under which it would be argued that the money so contributed should also be confiscated, for such money was as much a part of the assets of a poor man as anything else.

EARL GREY said, that considering the very small majority—a majority of 1 only—by which the proposal of his noble Friend (Earl Fortescue) was defeated on Monday night, he considered that the House should have another opportunity of pronouncing an opinion upon the question. He thought the Bill should now be read a third time; and, that having been done, his noble Friend could then move his Amendment. He did not think it would be desirable to throw the measure back a stage.

THE LORD CHANCELLOR said, he desired to point out that, while it was perfectly competent to move that the Bill be re-committed, it would not be competent, supposing that last proposal should be carried, for the House to resolve itself into Committee on the measure the same night.

EARL FORTESCUE said that, after what the noble and learned Lord had just stated, he would not press his Motion.

Motion *agreed to*; Bill read 3ª accordingly.

EARL FORTESCUE moved, Clause 1, page 1, line 7, to leave out the words ("pauper or"). The effect of the omission would be to restrict the operation of the Bill to the case of pauper lunatics.

THE EARL OF SHAFTESBURY said, he must oppose the Amendment, which he still regarded as inconsistent. The part of the clause retained by the noble Earl, was as much a violation of principle as the part struck out. The noble Earl by whom the discussion was opened on this occasion (the Earl of Morley) did not appear to see the distinction between investments in friendly societies and investments of other kinds. It might be that legally there was none; but morally there was a wide distinction. In a large number of instances, the wives were the persons who subscribed the money to those societies. He did not deny that, to allow the wives and relatives of paupers to claim their savings was a departure, in some respects, from the strict principle of the Act of 1834; but a great complaint made against the working classes of this country was that they were wanting in habits of economy, and the great object of the Bill was to give them encouragement in the pursuit of thrift. Those of them, however, who invested savings in friendly societies were not open to the charge of waste; and he considered it unadvisable to seize on such savings when the contributors might be suffering from a visitation for which they might in no way themselves be accountable. The present measure was brought forward in consequence of the clause which was forced on the Government Bill of 1876. The alteration which was made in that year, and the nature of which had been already sufficiently indicated, had produced such a pernicious result in regard to friendly societies, and those who contributed to them, that they now prayed, as the large number of Petitions which had been presented on the subject showed, to be relieved from the great discouragement under which they were labouring. They did not ask or expect any relief in respect of money which might have come to them by gift or inheritance; but they did ask for relief in respect of moneys which they had subscribed from their own savings to friendly or to benefit societies. This was all they required; but they declared, at the same time, that if power were given to the Poor Law Guardians to come, in a time of difficulty and distress, and lay hold upon the money which they had so contributed, any effective progress on the part of friendly societies would be altogether impeded. These friendly societies did not ask for any general power; they only asked that they might deal with these funds in cases where there was a wife or relative dependent upon the man. It was not correct to say that all discretion would be taken from the Boards of Guardians, because they would still have the power of saying, if it was an undeserving case, that the man should have no relief whatever, and in that case he must resort to the money which was in the hands of the friendly society. As he had said before, he was not going to deny that allowing the wives and relatives to claim these savings, and yet receive relief, was in some respects a departure from the strict principles of the Poor Law, as laid down in 1834; but the great complaint against the poorer people of this country was that they were wanting in habits of economy. Those of them, however, who invested savings in friendly societies were not open to that charge, and the Legislature ought to give every assistance it could to these societies in enabling the best use to be made of the money when misfortune came upon the man. It had been stated that the operation of the friendly societies saved the poor rates £2,000,000 a-year. To seize the payments due from the friendly and benefit societies, and then take, as the Guardians must do, the wives and children into the workhouse, would cost the Union perhaps ten times as much as if they had left the society's payments alone, and had given but partial relief.

LORD HAMPTON said, it was with extreme regret that he found himself constrained to oppose any measure promoted by the noble Earl (the Earl of Shaftesbury), because they must all admit the excellency of the motives by which the noble Earl was always animated. At the same time, he was rather surprised to find the noble Earl an advocate of this Bill, because he should have thought that he would have been the first to admit, what nobody could doubt, that the measure which had tended more than another to benefit the labouring classes was the Poor Law Act; and he could not regard this Bill in any other light than as a most serious and dangerous invasion of that law. He was not now, but he once was, Chairman of a Board of Guardians; and he appealed to many of their Lordships to say whether he was not right in stating, that amongst those who were called upon to contribute payment to the rates, there were very many who were themselves on the verge of pauperism, and with regard to whom a great hardship was inflicted by calling upon them to so contribute. They could only justify the call on the ground of extreme necessity. It was true it was said that under this Bill there would be an equivalent in the shape of out-door relief, and that the members of these benefit societies would live upon the money they received, instead of placing themselves on the poor rates; but, in regard to that point, he was very much struck by the argument of his noble Friend a few minutes ago, that all these societies were not of the most perfectly sound character. On these grounds he should feel compelled, although it was with regret that he arrived at the determination, to vote against it, because he believed if it passed it would be a serious invasion of the principle of the existing Poor Law.

On Question, "That the words proposed to be left out stand part of the Clause?"—Their Lordships *divided :—* Contents 71; Non-Contents 52: Majority 19.

The words ("pauper or") *struck out.*

EARL FORTESCUE moved to leave out ("other relative"), and insert ("child or children under sixteen years of age, or father or mother.") "Relative" was a word of formidably wide application. He had known various persons with more than 100 cousins.

THE EARL OF SHAFTESBURY objected to the age of 16 years being mentioned.

EARL FORTESCUE consented to omit 16 years, and the words ("child or children, or father or mother") were *inserted.*

EARL FORTESCUE moved to leave out from ("relative") to the end of the clause.

THE EARL OF SHAFTESBURY pointed out that this clause had received the sanction of the Poor Law Board.

THE EARL OF REDESDALE said, the Board could not know what it was doing when it gave its sanction to such a Bill.

Amendment *agreed to;* words *struck out*; Bill *passed* and sent to the Commons.

RAILWAYS—THE FATAL ACCIDENT TO SIR FRANCIS GOLDSMID.

QUESTION. OBSERVATIONS.

THE DUKE OF ST. ALBANS rose to call attention to the Report of Colonel Yolland upon the fatal accident to Sir Francis Goldsmid, and to ask, If it is the case that the Board of Trade has no control over the rolling stock of existing railways; and, if so, whether, with respect to any new railways or extensions of existing railways, Her Majesty's Government will take means to acquire such powers of control? It appeared to him, from the Report of Colonel Yolland, that the death of that universally respected Gentleman, the late Sir Francis Goldsmid, must be attributed to the absence of continuous footboards to the railway carriages from which he wished to descend. His fall would not have been prevented, but his life might have been saved. It seemed from the Report of Colonel Yolland that the openings of the doors of the carriage were 2 feet wide, and the step 13 inches below and 8 inches wide. This matter, he considered, was a very important one, and the time had now come when continuous footboards should be insisted upon. By that simple remedy he had no doubt but that a most fatal cause of accidents would be stopped. Now, the Report of the Royal Commission was very clear upon the advantages of continuous footboards, while the cost of adopting them generally could not be very great. He would, therefore, ask the noble Lord who represented the Board of Trade (Lord Henniker), why they had not been insisted upon, and how long this source of danger was to continue? He trusted that juries would mark their opinion on this matter by heavy damages against the Railway Companies whenever accidents of this class were brought before them. The approval of the Board of Trade was necessary in the matter of signals, curves, bridges, and the permanent way generally; but he was informed that the Government had no statutory power over the rolling stock of the Railway Companies; and he should like to know whether that was the case or not, for he did not see why the Government should not have that power. He did not advocate the employment of a Government official to examine every engine and railway carriage which left Waterloo Station; but he did not see why the Board of Trade should not exercise a roving supervision in that important respect, which involved the safety of railway passengers. He did not see why a Railway Company should be relieved from responsibility and liabilities by the Board of Trade control in that respect more than in the case of the permanent way. In the case of a steam-packet boat, the owner was not exempt from liabilities, because he was required to have a Board of Trade certificate to carry passengers, and he was not relieved of the responsibility of the safety of the persons he carried. The authority of the Board of Trade, it appeared to him, was rather a peculiar one. When a line was opened they had no power over it until an accident occurred. When the horse had bolted they might inquire who left the door open. He believed that the rolling stock on railways, however, was exempt from any Government control, and that the Railway Companies might carry their passengers in any kind or description of carriage; and he asked why that branch of the Company's undertaking should not be subject to the general sanction of the Board of Trade as well as the line itself. As a rule, the railways were anxious to secure the convenience and safety of the public, especially when they were in competition with other Companies; but he thought it would be more satisfactory if breaks, footboards, and the like were not left to the caprice of railway directors. It would be well, in any future legislation, to extend the powers of the Board of Trade so as to enable them to remove the fruitful sources of many accidents, in respect to which they had at present no power. He wished, therefore, to ask, Whether it was the case that the Board of Trade had no control over the rolling stock of existing railways; and, if so, whether, with respect to any new railways or extensions of existing railways, Her Majesty's Government would take means to acquire such powers of control? He would point out that the approval of the Board was requisite for the condition of the permanent way, and he saw no reason why it should not exercise the same power of control over the rolling stock.

Lord COTTESLOE said, that before the noble Lord who represented the Board of Trade replied to the noble Duke he wished to make a few remarks. He did not propose to go into the whole question of railway accidents. That was a very wide subject, and it was a subject of great gravity and importance; but he wished to confine himself to the question brought before their Lordships by the noble Duke. The question might appear to be a very small matter, but the number of accidents arising therefrom was very considerable. It was the more serious because these accidents were entirely preventable, as it was possible to remove their cause. There was one other consideration which ought not to be lost sight of, and that was the question of who were most liable to be the victims of these accidents. The class of persons who lost their lives owing to the way in which the footboards and platforms were at present constructed were not the young, or those who were in the full possession of all their faculties; but the aged and the infirm persons whose eyesight was defective, women with children in their arms, and servants who had packages to carry. It was sometimes said that there was no necessity to pity the people who met with accidents, because it was owing to their own carelessness; but he thought that was not so. The danger arose from the platforms being placed 7 or 8 inches from the carriages. He took the liberty, four years ago, to put a question to the noble Duke opposite on this subject. At that time several accidents had recently occurred, and the Press had taken the matter up. The noble Duke, upon that occasion, told him that the particular case to which he referred would be inquired into, but with regard to the prevention of such accidents the Board of Trade had no power to interfere; the noble Duke, however, added that the question was fully deserving the consideration of the Royal Commission then sitting. It was considered by the Royal Commission, and they reported in very strong terms in the matter, and that only after they had gone largely into the question. They said—

> "But a third alternative, already resorted to by several railways, would, if generally adopted, do a great deal to lessen the evil, and that is the provision of continuous footboards of sufficient width. Objections of different kinds are urged against the use of such footboards; but we confidently believe that the Companies will come to acknowledge, universally, that they are desirable. We, therefore, recommend that the Board of Trade be empowered to enforce their adoption, wherever the circumstances of the traffic are such as to render them necessary for the safety of the passengers.
>
> "(2.) The subject of platforms has also claimed our attention. We are of opinion that the attainment of uniformity in this respect would be desirable and ought to be kept in view in the construction of new railways and in altering existing stations."

The Railway Commissioners also reported that—

> "In dealing with accidents to passengers from collateral causes, our attention has been specially called to cases of persons falling between carriages and platforms, and we recommend that the Board of Trade be authorized to enforce the adoption of continuous footboards as the only practicable measure of prevention we can suggest. The inequality in the height of the platforms upon different lines is objectionable, and the attainment of uniformity in this respect is very desirable."

One of the Commissioners—Mr. Galt—made a special Report, in which he said—

> "On no subject connected with railways has Captain Tyler expressed so strong an opinion as on the present construction of footboards. From his first Report, in 1870, till his last, for 1875, and in his evidence before us he has denounced, in the strongest possible terms, the present construction of footboards as 'a constant source of danger for which no good excuse could be offered;' and the iron steps, at present generally in use, as 'admirably adapted to cut people in pieces between the train and the platform.'"

Mr. Galt also said—

> "This Commission has recommended that the Board of Trade should be empowered to enforce the construction of continuous footboards in all cases where they may consider them necessary, and by this means alone, if the recommendation be adopted, there can be no doubt that a great saving of life will in future be effected."

That was two years ago, but nothing had been done to give effect to the Report of that Commission. He was next obliged to trouble their Lordships with Colonel Yolland's Report. He said that—

> "The public have a right to expect that every Railway Company will cause all its rolling stock, so far as passenger carriages are concerned, to be so constructed or altered, and the height of the platforms to be properly adapted to the passenger carriages, as will afford reasonable grounds for safe travelling in their own lines of railway. Continuous footboards to passenger carriages are also required as a means of properly providing for the safety of passengers getting into and out of carriages on the platforms of all railway stations throughout the Kingdom."

That seemed a reasonable request that the platforms should be raised and continuous footboards provided; and he believed that the interference of the Board of Trade, if they had the power, would soon induce the Railway Companies to deal with this matter. They certainly were met with the argument that it would be an expensive operation to alter the carriages and platforms; but he believed the expense would be comparatively trifling. Their Lordships had Bills every day before them promoted by Railway Companies to enable them to raise new capital, to enlarge or make new stations, and for other purposes. There seemed to be plenty of money, and railways seemed to be doing remarkably well, so that they could not complain of the expense in a case of such real necessity as this. The Railway Commissioners on this point said—

> "We have carefully considered in what way pressure can be brought to bear on Railway Companies which make default in these respects, without impairing their responsibility, and we believe that this may be effected by legislation enforcing upon them the adoption of certain recognized improvements and the construction of necessary works, while leaving to the Railway Companies themselves the settlement of all matters of detail and of administration."

Replying to the objection against the interference of Government, he would only point out that Parliament interfered in almost every other question in which the safety and health of the public were concerned. To support that statement, he had only to call attention to the laws connected with the Mercantile Marine, with mining, and the use of machinery, and to the laws dealing with questions of sanitation; so that they were not to be met with the argument that Parliament had no right to interfere with public Companies. There was another, and still more startling argument which he could not refrain from alluding to, and that was that the Railway Companies were so strong in both Houses of Parliament, that it was useless to attempt to touch railways. He hoped that was not the case. He knew there were railway directors and shareholders in both Houses of Parliament; but he did not believe that they would be able, or would endeavour, to throw out any real and well-considered Bill for railway reform. But if Parliament would not deal with the matter, let the Government give power to the Board of Trade to interfere. He himself would be glad to see that done, for he had very great faith in the Board of Trade. The Board of Trade, between whom and the Railway Companies there existed an understanding; had done very good service in many cases, but, in the instance under discussion, it had not been able to advance matters without the assistance of Parliament. He, for one, should be glad to support a Bill to give the necessary powers to the Board of Trade. With regard to the accident to Sir Francis Goldsmid, it was perfectly unnecessary to inquire whether that gentleman got out of the door before the train stopped. That was beside the question; the point being whether the door could in any case have been opened without danger. Colonel Yolland gave the following facts as to the position of the steps:—

> "Outside of each door there is a wooden step 1 foot 7½ inches long, by 8 inches wide—13 inches below the floor of the carriage—7½ to 7¾ inches above the level of the platform. So that the floor of the carriage is above 4 feet 2½ inches above the level of the rail, and 2¾ inches above the level of the platform where this accident was reported to have occurred. From the top of the door step, vertical distance of 11 inches to the upper suface of the continuous footboard below, and thus the continuous footboard was 3½ inches below the level of the platform. There were 2-3½ inches between the continuous footboards. The outer edge of the wooden doorstep is, horizontally, 7½ inches from the edge of the wall of the platform and the outward edges of the continuous footboard below the wooden door step 7½, 8¼, and 8½ inches from the upright wall of the platform, and thus there was sufficient space for a man's foot or leg to pass down between the outer edge of the continuous footboard and the upright wall of the platform."

Colonel Yolland went on to say that the Railway Companies had had these matters pointed out to them over and over again. A suggestion had been made that the edge of the continuous footboard, which ought to take the place of the wooden step, should overlap the platform. Something might be done in that direction, and he would conclude by saying that he hoped the Board of Trade, in whom he had the greatest confidence, would be able to insist upon some measures being taken to protect the lives of railway travellers.

Lord NORTON said, the Government had no control over the private property of any Company, and if the Board of Trade had, with regard to Railway Companies, the suggested task of saying what machinery they should use, it would be a most mischievous thing. The Government would practically enter into partnership with private enterprize, the Government incurring all the responsibility, and the Companies retaining the management without responsibility, and that of the entire traffic of the country involving the daily safety of life and property. The Board of Trade could not be the best judges of constructions which, under private undertaking, were matters of constant improvement and invention. They would make mistakes and lose all authority; and, when right, could not see to the execution, or constant maintenance of their prescriptions. What the Government could do and ought to do in questions of this sort, was to enforce recognized requirements. The Government should also give publicity to any neglect to carry these out on the part of Railway Companies. There should be always friendly conference between the Government and the Companies, such as he had himself satisfactorily established. The case of the lamented death of Sir Francis Goldsmid, however, illustrated the impossibility of any Department having the power to prescribe particular construction to the Companies. This Railway had carried out some recommendations of the Board of Trade as to height of platform, but not others as to space between platforms and steps, which required a difficult and general arrangement. Continuous footboards were by no means a settled question, and it would be no use ordering what could not be done, or what may soon be better arrived at.

LORD TRURO said, these accidents sometimes arose from individual carelessness, and at others from defective arrangements on the part of the Railway Companies, and the question was, whether to any further extent than now existed, the Board of Trade should interfere with what he might term the conduct of these commercial undertakings; or whether they ought not to abstain from any direct interference with the detailed arrangements of the Companies? No doubt, it was necessary to issue certain general requirements; but these had always been drawn up with a view to leave, as far as possible, the matter in the hands of the Companies, so that their opinion and experience might be used in the way they considered would be best for the public interests. If the Government interfered too much, they would check those improvements which the Companies might otherwise introduce, and above all, they would take away from them that responsibility which ought properly to attach to them, and without which the public would have no redress.

LORD HENNIKER said, their Lordships would be aware that, more than a week ago, he had laid on the Table the Report of Colonel Yolland on the fatal accident, which they must all deplore, that had happened to Sir Francis Goldsmid; and, on Tuesday last, he laid before the House the Correspondence which had passed on the subject between the Board of Trade and the London and South Western Railway Company. Their Lordships would have had an opportunity of reading the Report of Colonel Yolland, which was very able and complete, and, therefore, it was unnecessary for him to refer to it at length; but the Correspondence with the South Western Railway Company was not at present in their Lordships' hands, and, therefore, in order to put the case clearly before them, he might, perhaps, be allowed to read the following letter:—

"London and South Western Railway,
"Secretary's Office,
"Waterloo Bridge Station, June 14.

"Sir,—Your letter of the 4th instant (R 4592), with Colonel Yolland's Report on the recent fatal accident to Sir Francis Goldsmid, have been laid before the directors, and in reply to the request that the Board of Trade may be informed as to what steps have been, or are proposed to be taken to prevent the recurrence of such accidents in future, I am instructed to state that it appears, by the Report of Colonel Yolland, that this Company had, previous to the accident, in respect of the platform at which it occurred, 'practically complied with the recommendation of the officers of the Board of Trade, both as to the height of the platform and the distance at which the line should be laid from the edge of the platform.' But it is remarked that this Company have not adopted the further recommendation of such officers as to the substitution of continuous footboards for the carriage door steps; and, with reference to this matter, I am directed to point out that the adoption upon all carriages of a continuous footboard is not desirable, or, indeed, practicable, while the heights of platforms at stations differ to the extent these now do in many instances, as it is not possible to step from a continuous footboard to a lower carriage step, consequently, one step must be made from the footboard to the platform level, which, with low platforms, such as exist at many railway stations, cannot be effected by passengers either with safety or convenience. It is well known that upon the older lines of railways the platforms were originally constructed of a less height than is now the general practice, and the directors for a considerable time past have acted upon the principle of adopting a uniform height of 2 feet 6 inches for the platforms at all new stations, and when opportunity occurs in the alteration of existing station platforms. And, with respect to the carriage steps, their principle now is to adopt a wooden step at each carriage doorway upwards of 2 feet in length, and about 10 inches in width. While the directors deplore this fatal accident, they are unable from the evidence given at the coroner's inquest, and before Colonel Yolland, to understand the grounds upon which he expresses an opinion that 'there is not the least reason for doubting the complete accuracy of Sir Francis Goldsmid's statement, that the accident was occasioned by the door of his compartment having been opened by some of the officials at the station,' and they, after having used the utmost diligence to produce every witness of the accident, some of these not being railway servants, venture to think that Colonel Yolland's assumption is not supported by the evidence. The directors have, however, ordered that the regulation of the Company, 'that no carriage door must be opened to allow a passenger to alight from or enter a train before it has come to a stand, or after it has started,' be prominently brought under the notice of all their servants.

"I am, &c.,

"Frederick Clarke, Secretary.

"The Assistant Secretary, Railway Department' Board of Trade."

As to Colonel Yolland's Report, he might say, on the part of the Board of Trade, that they entirely agreed in the conclusions at which he had arrived, and were quite aware of the dangers to which passengers travelling by railway were exposed from the want of properly constructed continuous footboards. The attention of the Companies had been called to this matter for many years past. It would also, no doubt, be a very good thing if the platforms at all the stations were made of the same height; and the upper footboard, if more than one were used, a few inches higher than the platform, so that the footboard could be brought nearly close to the edge of the platform, without any danger of its coming into contact with it. But there were a great many cases where the heightening of the platform would entail such a large expense, and inconvenience, that it was not likely the Companies would be able to carry out all this work at once. No doubt, this was a change which must be gradually carried into effect. There did not, however, appear to be the slightest reason why the present narrow iron steps should not be removed, and continuous footboards substituted for them, with the addition of a second continuous footboard at a distance of from 2 inches to 4 inches from the edge of the platform to carriages running on the lines where the platforms were lower than the height recommended by the Board of Trade. With regard to the Question of the noble Duke, about rolling stock, the facts of the case were these. The Regulation of Railways Act gave a power to the Board of Trade, at any time, should they think it necessary, to inspect the rolling stock and premises of any Railway Company. Were the rolling stock of the Railway Companies placed under the control and inspection of the Board of Trade, it would entirely relieve the Companies of the responsibility they ought to bear, as had been already stated by his noble Friend beside him (Lord Norton), and it would throw the whole of it upon the Government. That would be a most undesirable thing to do. The point raised by the noble Duke involved very large principles, and if it were decided to interfere in the direction suggested by him, the whole question of State control over railways would have to be re-considered. This question had been considered not only by Committees of both Houses of Parliament, but more recently by the Commission on Railway Accidents. All these different authorities had looked carefully into the matter, and they were unanimously of opinion that, on the whole, the safety and convenience of the public were better cared for by the system at present in force — allowing the Railway Companies to conduct their own affairs, rather than placing them more immediately under the control of the Government. Under these circumstances, it was not the intention of the Government to take steps to acquire any further power of control over the arrangements made by the Railway Companies, or to interfere with the manner in which they worked their traffic.

House adjourned at a quarter past Seven o'clock, till To-morrow, half past Ten o'clock.

HOUSE OF COMMONS,

Thursday, 27th June, 1878.

MINUTES.] — Select Committee — *Report* — Irish Land Act, 1870 [No. 249].

Private Bill (*by Order*)—Ilen Valley Railway, read 2° *.

Public Bills — *Second Reading* — Contagious Diseases (Animals) [204], *debate further adjourned;* Entail Amendment (Scotland) * [158].

Select Committee — County of Hertford and Liberty of Saint Alban Act (1874) Amendment * [203].

Committee — *Report* — Weights and Measures (*re-comm.*) [143-229].

Third Reading—Supreme Court of Judicature Act (Ireland) (1877) Amendment * [223], and *passed.*

Withdrawn — Merchant Seamen (*re-comm.*) * [200].

QUESTIONS.

INDIA—THE FAMINE—THE MORTALITY.—QUESTION.

Mr. POTTER asked the Under Secretary of State for India, Whether, having regard to the effect which has been produced in India by the possibly exaggerated reports prevalent there as to the mortality caused by the recent famine, he will lay upon the Table of the House such Returns or Estimates of mortality as may be now in the possession of the Government; and, whether it be true, as stated in the Indian papers, that the instructions from the Home Government virtually prohibit inquiry by the Famine Commission into the extent of the mortality and into the land revenue system?

Mr. E. STANHOPE: I stated a short time ago that I might run the risk of misleading the House by quoting the partial Returns which we had received. But I can assure the hon. Member that we do not desire to keep back any information we possess, and as soon as we receive the Returns which the Government of India has collected, they shall be laid upon the Table. The Instructions from the Home Government were presented to Parliament on the 21st of January last. After indicating various points as to which inquiry was desirable, and cautioning the Commission against being led away from its main objects by making too minute an investigation of others, the Despatch concludes—

> "I have indicated the principal matters in respect to which the proposed Commission may gather facts and make recommendations which will assist the Government in devising measures to protect the people from the calamities following upon excessive drought. But nothing that I have written must be held to preclude them from pursuing any inquiries which, in their judgment, are calculated to attain this object."

INDIA—THE VERNACULAR PRESS ACT.

QUESTION.

Mr. ALEXANDER M'ARTHUR asked the Under Secretary of State for India, When the Papers relating to the Vernacular Press Act will be laid upon the Table?

Mr. E. STANHOPE: I laid these Papers on the Table on the 3rd of June. The delay which has occurred in printing and delivering them to Members is not the fault of the India Office; but it has caused me much regret, and has been inexcusably long. I have, however, now received a positive promise that they will be generally distributed to-morrow.

PARLIAMENT AND MUNICIPAL ELECTIONS—THE BALLOT ACT.

QUESTION.

Sir CHARLES W. DILKE asked the Secretary of State for the Home Department, Whether it is the case that the result of the late South Northumberland Election was gravely affected by the negligence of deputy returning officers in not stamping several ballot papers with the official stamp; whether, at the late election at Southampton, about one hundred and ten ballot papers were void and not counted, of which about seventy were voided by the neglect of a deputy returning officer at a single booth; whether any amendment of the Ballot Act is contemplated by the Government; and, further, if any circular has been issued by the Home Office to returning officers of the nature of that suggested by the Select Committee on Parliamentary and Municipal Elections which sat in 1876?

Mr. ASSHETON CROSS, in reply, said, it was quite understood that, at the late South Northumberland Election Scrutiny, it was discovered that three ballot papers without the official stamp were counted for one candidate, and nine for another; and at the Southampton Election he understood 70 papers were, by the error of one of the revising officers, marked with the registered numbers of the voter, which, of course, had to be rejected in counting the votes, and the remainder of the rejected ballot papers were void in consequence of the acts of the voters themselves. No amendment of the Ballot Act was at present contemplated by the Government. He regretted to say that his attention had not been called to the paragraph of the Report of the Committee referred to, and therefore no Circular had been issued, but it should receive his consideration.

CUSTOMS RE-ORGANIZATION.

QUESTION.

Mr. HARCOURT asked the Secretary to the Treasury, Whether there is any immediate prospect of the settlement and promulgation of the scheme of Customs reorganisation; what terms of retirement are to be offered to the Customs; and, whether the provisions of the Admiralty and War Office Bill (Superannuation) are to be extended to the Customs and other civil departments?

Sir HENRY SELWIN-IBBETSON: The question of the re-organization of this important Department has been under the consideration of the Treasury for some time, and the delay in finally settling it has arisen in consequence of the recent appointment of a new Chairman, the Government thinking it was wise to wait the opportunity for his considering the scheme. With regard to what terms of retirement are to be offered, I beg to say that they will be the ordinary terms under the system of 1859. There is no intention on the part of the Government to extend the provisions of the Bill before Parliament relating to the Admiralty and War Office to any others than those specially included in it.

DOG LICENCES.—QUESTION.

Mr. HOPWOOD asked Mr. Chancellor of the Exchequer, If he will state how many prosecutions have been instituted to the present time in respect of dog licences; whether any notice is ordered by the Inland Revenue authorities to be given before prosecuting; and, whether he would consider the advisability of advertising the time for renewing these and similar licences in some way more likely to attract public attention than affixing notices to church doors and police stations?

Sir HENRY SELWIN-IBBETSON: The number of prosecutions ordered during the present year for omissions to take out dog licences is 17,804. Notice of the time for renewing dog licences is given to all persons previously licensed by a note on the face of the licence. Those who are not known to the Inland Revenue officers—not having been previously licensed—cannot possibly receive notice individually; but notices—besides those on church doors and at police stations—are posted at Inland Revenue offices and at post offices, and advertisements are inserted in the local newspapers; 480 such advertisements in 114 different newspapers were published, at a cost of £315, in the month of January, warning all persons concerned that the time had come for taking out establishment and dog licences.

ARMY—ADJUTANTS OF THE AUXILIARY FORCES.—QUESTION.

The Earl of MARCH asked the Secretary of State for War, Whether there would be any objection to allow adjutants of the auxiliary forces who have the brevet rank of major to receive their pay as such from the date on which they were appointed as adjutants of the auxiliary forces?

Colonel STANLEY: Having carefully re-considered this question, I am not prepared to extend the concession of April, 1877, so as to make it retrospective.

THE HIGHWAYS BILL—BICYCLES ON HIGHWAYS.—QUESTION.

Sir GEORGE JENKINSON asked the President of the Local Government Board, If he has noticed, in the "Pall Mall Gazette" of the 18th and 19th June, the account of a very serious accident to Canon Harvey from being knocked down by a bycycle; and, whether he proposes in the Highways Bill to make any provision for the protection of people from the reckless use of bycycles by compelling the use of loud bells or other effectual means?

Mr. SCLATER-BOOTH, in reply, said, he had heard with regret of the accident to Canon Harvey. He did not propose to insert any clause in the Highways Bill on the use of bicycles on roads. He observed, however, that his hon. Friend had a Notice of an Amendment giving local authorities power to make bye-laws for regulating that species of traffic, and to that he thought there would be no objection.

POOR LAW—REMOVAL OF PAUPERS.
QUESTION.

Mr. FRENCH asked the President of the Local Government Board, If he can inform the House when the Return, ordered at the instance of the honourable Member for Cork on the 29th of January last, of the number of paupers removed from England and Scotland to Ireland, is likely to be presented?

MR. SCLATER-BOOTH, in reply, said, that the Return moved for by the hon. Member for Cork (Mr. Downing) was a troublesome one to obtain, because the particulars were numerous and had to be obtained from 650 authorities in England alone. He had now full information from England. The Returns from Scotland had not been yet obtained; that was the sole cause of the delay. Telegrams had been sent to Scotland on the subject; and if the Returns should reach him to-morrow, he would lay them on the Table to-morrow afternoon.

SOUTH AFRICA—THE TRANSVAAL TERRITORY.—QUESTIONS.

MR. COURTNEY asked the Secretary of State for the Colonies, Whether Mr. Sargeaunt has returned from South Africa, and when it is intended to lay his report on the financial condition and prospects of the Transvaal Territory upon the Table of the House ?

SIR MICHAEL HICKS-BEACH: Mr. Sargeaunt has but quite recently returned from South Africa, and I have not yet seen his Report. I cannot say whether I shall lay it before Parliament until I have considered it; but I shall, in that or some other way, make Parliament acquainted with the financial condition of the Transvaal.

MR. COURTNEY asked, Whether the right hon. Baronet would ask for a Vote in aid?

SIR MICHAEL HICKS-BEACH: I would like to consider the Report first.

MINES ACT—EXPLOSION IN MINES.

QUESTION.

MR. MACDONALD asked the Secretary of State for the Home Department, If his attention has been directed to the account of an explosion which appeared in the "Times" on the 20th inst. where several persons were severely injured, in which report the following words occur, viz.: "which ignited at the naked lights carried by the men, and also exploded the powder they had with them;" and, whether the powder they thus were carrying was in cartridges or in bulk; if it was in bulk, does he intend to direct a prosecution for permitting and carrying powder into the mine in this form?

MR. ASSHETON CROSS, in reply, said, that the Inspector informed him that between the day of the accident and the 26th of March last some fire-damp had collected, and that cartridges only were used. It appeared now that there was no powder at all. The top of a cartridge case having been found without a bottom led to the belief that the cartridges had exploded; but they were afterwards found in a case in the pocket of a miner. The result of the Report was that there was no flash from the powder, but simply the flash of the fire-damp.

ARMY — THE AUXILIARY FORCES — ADJUTANTS OF VOLUNTEERS AND YEOMANRY.—QUESTION.

MAJOR O'BEIRNE asked the Secretary of State for War, If it is contemplated to remedy the grievance that Irish Officers in Her Majesty's Service are subject to by being practically excluded from holding the appointment of either Adjutant of Volunteers or of Yeomanry, such appointments being obtainable only by Officers having local connection or county influence and interest in those portions of the United Kingdom where such corps exist?

COLONEL STANLEY: I do not admit that there is any grievance, nor is it the fact that these appointments are obtainable only by officers having local connection or county influence and interest. Adjutants of Volunteers are selected from the general list of candidates for these appointments, due consideration being given—1, to their relative qualifications, and to the time they have been noted; 2, to the wish of the commanding officer, if he can show any special reasons for recommending any particular officer; 3, to the fact of whether they belong to the same sub-district as the Volunteer corps. All captains of Cavalry are eligible for Yeomanry Adjutants, and the same considerations prevail in their selection as with Volunteers, except that there is no sub-district connection between Cavalry and Yeomanry regiments. Irish officers have the same chances, and are treated in exactly the same manner as English and Scotch officers in the consideration of their claims. An officer's nationality never has been—and, I trust, never will be—allowed to influence his selection for an appointment in the military service.

CITY PAROCHIAL CHARITIES—THE COMMISSION.—QUESTION.

Mr. FAWCETT asked the Secretary of State for the Home Department, When the Commission to inquire into the City Parochial Charities, which the Government announced on the 10th of May it was their intention to appoint, will be appointed; and, whether, if it is necessary to pass an Act of Parliament before such Commission can be appointed, he will state on what day the Bill for that purpose will be introduced?

Mr. ASSHETON CROSS, in reply, said, he regretted that, owing to the lamentable death of Mr. Russell Gurney, whom he had intended to recommend to the Queen as Chairman of the Commission, the proceedings in this matter had been somewhat delayed. No time would be lost in the appointment of the Commission. It would be necessary to bring in a Bill, but the Bill was already drawn.

BUSINESS OF THE HOUSE—SALE OF INTOXICATING LIQUORS ON SUNDAY (IRELAND) BILL.—QUESTIONS.

The O'CONOR DON asked Mr. Chancellor of the Exchequer, Whether he can now state what facilities he proposes to offer for making further progress with the Sale of Intoxicating Liquors on Sunday (Ireland) Bill?

The CHANCELLOR of the EXCHEQUER: The engagement entered into by the Government at the commencement of the Session by my right hon. Friend the Secretary of State for the Colonies (Sir Michael Hicks-Beach) was, that if the promoters would agree to certain Amendments to be proposed by the Government, then the Government would give all the facilities it could towards the progress of the Bill. Those Amendments were accepted, and the Government have fulfilled their part of the engagement; and I may point out to the hon. Gentleman, and the House, that the Government has really done a good deal, although the progress made has not been as rapid as might have been expected. I do not think it will be possible to put the Bill down before Government Business on a Government night, but the proposal I would make is this:—The Bill has already got through Committee and stands for consideration on the Amendments. We are prepared to have a Saturday Sitting for that purpose.

The O'CONOR DON: What Saturday does the Chancellor of the Exchequer propose to take?

The CHANCELLOR of the EXCHEQUER: Next Saturday.

The O'CONOR DON: Do I understand that the Chancellor of the Exchequer proposes Saturday next?

The CHANCELLOR of the EXCHEQUER: Yes.

Mr. O'SULLIVAN desired to ask the hon. Member for Roscommon, Whether he intended to accept the offer of a Saturday Sitting for proceeding with the Sunday Closing Bill, seeing that Saturday was one of the most sacred holidays of the Church to which the majority of the people of Ireland belonged, and, in their opinion, Sunday would probably be a more appropriate day for proceeding with it?

The O'CONOR DON said, he was perfectly ready to accept the offer and would say the better the day the better the deed.

Sir JOSEPH M'KENNA: When will the right hon. Gentleman move that a Saturday Sitting be taken?

The CHANCELLOR of the EXCHEQUER: To-morrow.

Mr. ONSLOW: Has the right hon. Gentleman the Chancellor of the Exchequer considered the possibility of its being necessary to devote the Morning Sitting to the discussion of the question of the propriety of a Saturday's Sitting?

CHINA—THE FAMINE.

QUESTION.

Mr. RATHBONE asked the Under Secretary of State for Foreign Affairs, Whether Her Majesty's Government is in possession of any more recent information relating to the famine in China than is contained in the Report drawn up by the late Mr. Mayers last October, which Report has been already presented to Parliament; and, if so, whether he will state the nature of such information to the House?

Mr. BOURKE, in reply, said, that recent despatches had been received which would be placed on the Table. He did not think it desirable to state the nature of the details, which were very lamentable. An awful mortality had happened.

TURKEY — CRETE — EMPLOYMENT OF BASHI-BAZOUKS.—QUESTION.

Mr. HAYTER asked Mr. Chancellor of the Exchequer, Whether his attention has been drawn to two telegrams from Athens, dated June 24th and June 25th, and published in the "Times" on the following days, from which it appears that the Turkish authorities in Crete employed on Monday last a body of Bashi Bazouks against the insurgents, and that in the neighbourhood of Canea eleven women and many children were murdered; and, whether, in view of these atrocities, he will undertake, on behalf of the Government, to instruct Sir Austen Layard to lose no time in seconding the hitherto ineffectual remonstrances of our Consul in Crete against the employment of these irregular troops by the Porte, and to remonstrate with the Ministry at Constantinople?

The CHANCELLOR of the EXCHEQUER: The attention of the Government has been drawn to the two telegrams to which the hon. and gallant Gentleman refers, and to other reports which have reached us on this subject. We have received no communication from Mr. Consul Sandwith, and I do not feel sure that the information sent to the newspapers is entirely to be relied on; but the Government have communicated with Sir Austen Layard on the subject, and every effort will be used to prevent any atrocities that can in any way be checked or prevented. I may say that a communication has been received within the last hour or so from Lord John Hay, now commanding the *Defiance*. He has gone to Souda Bay, and reports that there is a more tranquil state of things than was recently the case.

THE PARIS EXHIBITION — ENGLISH CATTLE.—QUESTIONS.

Mr. GREENE asked the Vice President of the Council, Whether it is true that English gentlemen have been willing to send their finest Cattle to the Paris Exhibition; and, if so, whether it is not now safe to take France out of the Schedule, and to admit her Cattle freely to the English consumer?

Lord GEORGE HAMILTON: I do not quite understand why the hon. Member for Manchester (Mr. Jacob Bright), having put a Question on the Paper, has not asked it. It is true that English stockowners sent some valuable animals to the Paris Exhibition. Those animals, on their arrival, became *ipso facto* French stock, and could only be landed in this country for slaughter or at a quarantine station. A number of animals—58 cattle and 51 sheep—were brought back to England on Friday last, and landed at a quarantine station at Poplar, which was specially arranged for their reception, where they are now detained. It may be added that foot-and-mouth disease appeared among the animals in the Paris Exhibition, and shortly after the landing of the English animals at Poplar, two bulls were found to be affected with the disease. I should, therefore, draw precisely a contrary inference from the facts to that which the Question seems to indicate.

Mr. W. E. FORSTER: I wish to know, Whether the same steps have been taken with regard to this cargo as are taken with regard to other foreign animals; whether, one or two animals having the foot-and-mouth disease, the whole cargo has been sent to slaughter, as is generally the case? My reason for asking the Question is that the noble Lord stated they were left in quarantine, which I believe is not the usual course.

Lord GEORGE HAMILTON: Will the right hon. Gentleman have the goodness to give Notice of his Question.

PARLIAMENT—BUSINESS OF THE HOUSE.—QUESTIONS.

Mr. W. E. FORSTER asked, If the debate on the Contagious Diseases (Animals) Bill should not be concluded that evening, whether it would be taken to-morrow evening?

The CHANCELLOR of the EXCHEQUER hoped there was no doubt the debate would finish this evening. Looking to the character of the discussion, and the fact that a good deal turned on questions which belonged to the stage of Committee, he thought there were reasonable grounds for hoping that the debate would conclude this evening. Should that not be the case, it would be impossible to continue the debate to-morrow evening, for which other Business had been fixed. The Highways Bill would be taken to-morrow, and after that the Roads and Bridges (Scotland) Bill. In that case he hoped to proceed with the Irish Education Vote on Monday.

SIR GEORGE CAMPBELL asked, Whether the Government Amendments to the Roads and Bridges Bill would be printed in order that they might be considered by hon. Members.

MR. ASSHETON CROSS said, the Amendments were of such a character as really to meet the wishes of hon. Members expressed in Committee, and they would be laid upon the Table at once.

In reply to Mr. HIBBERT,

MR. SCLATER-BOOTH said, he hoped to take the Committee on the Valuation Bill at a Morning Sitting next week.

ORDERS OF THE DAY.

CONTAGIOUS DISEASES (ANIMALS) BILL—[*Lords*]—[BILL 204.]

(*Sir Henry Selwin-Ibbetson.*)

PERSONAL EXPLANATION.

MR. RITCHIE rose to make a personal explanation. The noble Lord the President of the Board of Trade (Viscount Sandon) was reported in *The Times* to have said—

> "The hon. Member for the Tower Hamlets, who spoke for a large consuming and working population, represented them as being warmly in favour of the Bill."

The noble Lord, if he were correctly reported, had put words into his mouth which he did not use. With reference to his constituents, he said nothing about them, the fact being that he had not heard from them either one way or the other. What he did say was, that he should vote for the second reading because the Bill contained provisions for the internal movement of cattle, which would tend to stamp out the foot-and-mouth disease, and so increase the supply of food for the people, provided there were not other clauses introduced which would neutralize those beneficial regulations. He also said that he considered the clause for slaughtering all animals at the port of debarkation too severe, and gave Notice that he should in Committee move a clause exempting Norway, Denmark, Sweden, Spain, and Portugal from the operation of the Bill.

MR. SPEAKER stopped the hon. Gentleman from making further remarks, on the ground that his speech was exceeding the limits of a personal explanation.

SECOND READING. ADJOURNED DEBATE.

[THIRD NIGHT.]

Order read, for resuming Adjourned Debate on Amendment proposed to Question [24th June], "That the Bill be now read a second time."

And which Amendment was,

> To leave out from the word "That" to the end of the Question, in order to add the words "in the opinion of this House, the slaughter at the ports of landing of all fat cattle from the Continent would restrict the supply and increase the cost of food, and should therefore not be made compulsory under all circumstances by Act of Parliament,"—(*Mr. William Edward Forster*,)

—instead thereof.

Question again proposed, "That the words proposed to be left out stand part of the Question."

Debate *resumed.*

MR. SYNAN said, that if the Bill were allowed to pass a second reading, all the various questions affected could be discussed in Committee, and hon. Members would then be able to arrive at a just and fair decision upon them. It had been said in respect to the Aberdeen trade that the live animal trade was greater than the dead meat trade; and an hon. Friend of his had said that that might perhaps be owing to the excessive railway charge for the carriage of dead meat. It had also been stated that the live animal trade from America was now surpassing the dead meat trade; and if that were so, it would be an argument, to some extent, in favour of the Amendment proposed by the right hon. Gentleman the Member for Bradford (Mr. W. E. Forster). If it be argued that the dead meat trade from the Continent at present was greater than the live animal trade, it would be immediately answered that if the five countries in Europe which were free from any kind of disease were permitted to send their animals under certain restrictions and conditions, it was possible that the live animal importation might exceed the dead meat trade, and that the dead meat trade might also increase on the Continent. When one set of arguments were set against another, and one set of statistics were arranged against another set, he thought the matter had better be left to hon. Gentlemen for decision, and a decision would be best arrived at in Committee, where full consideration and weight would be given to every matter of detail. He was not enamoured of the slaughtering clause in the Schedule, and, unless there was conclusive evidence that it was necessary for the protection of the agricultural interests of this country, he should not be inclined to support it; but if such conclusive evidence were forthcoming, he would support it. Suggestions had been thrown out by some supporters of the Bill which seemed to point to some modification of the Schedule and of the restrictions as affecting the five countries that had been named; and if the Government gave their countenance to these suggestions, it was possible that this debate might be shortened. In the matter of cattle plague and of pleuro-pneumonia, the clauses of the Bill provided for complete isolation and for the slaughtering of cattle. So far, it appeared to him that that part of the Bill was perfectly efficient for the purpose. There ought to be no difference between the regulations for England and those for Ireland with regard to pleuro-pneumonia. As to the cattle plague, there was to be no difference; but he would point out that in the case of England, regulations would be carried out with greater efficiency. While in England regular professional Inspectors were considered and proved to be necessary for the purpose of detecting diseases, in the case of Ireland it was provided that the detection should be left in the hands of any ordinary person that might be appointed by the Board of Guardians. If Clause 71 were passed in its present state, there would not be sufficient control to insure the stamping out of the disease. In the case of Ireland, the owners of cattle would not have that respect for the rules and regulations issued by any ordinary individual that they would have for those which might be promulgated by a professional Inspector. The Chief Secretary for Ireland had the credit of being cognizant of the good qualities of a horse, and he hoped that that right hon. Gentleman was acquainted with the best professional people who would advise him as to the best means of keeping the cattle disease out of Ireland. There was another matter with which the Bill did not deal, and with which it ought to deal—namely, the inspection of cattle on embarkation. They ought to provide that inspection at the port of embarkation in Ireland should be sufficient. That would provide a bill of health for the purchaser in England. This Bill, in that it was a Consolidation Bill, was a valuable one for Ireland. The cattle trade of Ireland was the greatest interest they had, and this Bill would promote a consolidation of regulations, which was very much to be desired. They had now a number of Acts which were difficult to grapple with; whereas, if they had a single Act of Parliament pointing out what they were to do, and competent Inspectors to tell the people they must do it, a great point would be gained. The Irish people did not breed pure shorthorns. Perhaps about 20 gentlemen in Ireland did, but that was merely for the purpose of improving the other breeds. But to make a law for them, which would be a law against the rest of the community, to protect 20 people at the expense of 5,000,000, would be most extraordinary. There were three classes of cattle in Ireland—the old breed of the country, the half-breed, and the shorthorns. The old breed was altogether free from disease. He had never known a case of pleuro-pneumonia or foot-and-mouth disease among them. But it was not a remunerative breed; they were not, with the exception of the small Kerry, productive of milk, nor were they productive of meat. But the half-breeds were subject to foot-and-mouth disease, and the mode prescribed by this Bill for dealing with the disease would be ineffectual, unless professional Inspectors were appointed. Parliament ought not to make laws in favour of the hothouse plant as against the hardy plant, but for the benefit of the cattle of the country generally. However, they might yet make the Bill in Committee complete and effective for its purpose. He wished to point out to the Treasury Bench that if they wished to have a Bill for the whole of the United Kingdom, they must adapt its provisions to the peculiar circumstances of each country. If they wanted very stringent measures for England, they must confine them to England, and not extend the same stringent measures to Ireland, which was an exporting country. They ought to look at the state of the country for which they were legislating. To place very stringent restrictions on the Irish cattle trade would, in his opinion, as far as Ireland was concerned, be the case of killing "the goose" which laid the golden eggs. The interests of Ireland were your own interests, and the Irish Members were determined, at all events, to support the interests of their country. If the Government were prepared to answer the arguments which had been brought forward on that side of the House, and to take them into consideration when the Bill was in Committee, and if they were also willing to accept the suggestions from the other side that certain European countries should be exempted from the provisions of the Bill, then they might obtain for the people of this country an abundant supply of good meat, and take every argument from those who were at present opposed to this measure.

MR. LYON PLAYFAIR: The right hon. Gentleman the Secretary of State for the Colonies (Sir Michael Hicks-Beach) was quite right in impressing upon our attention that the Bill is wide in its scope, and is not limited to the Amendment of my right hon. Friend the Member for Bradford (Mr. W. E. Forster). It contains many admirable provisions in regard to cattle diseases generally, and would remain a good Bill —indeed, in my opinion, a much better Bill—if the Schedule to which he chiefly objects were removed. I am not in the least terrified by severe methods for the extirpation of disease, for I was one of the majority of the Cattle Plague Commissioners of 1865 who recommended the stamping-out process which has proved so effectual. The storm of objection and ridicule which that measure at first encountered was a violent whirlwind in comparison with the strong, though increasing, gale which is now blowing on the Government proposals in regard to foreign cattle in this Bill. I am, therefore, rather on the side of strong measures than otherwise for the extinction of cattle diseases, and I approach the consideration of this Bill with a feeling of favour. Cattle plague, pleuro-pneumonia, and foot-and-mouth disease vary much in their methods of dissemination. Only one of them—the cattle plague—acts in such a subtle way, that the most heroic measures are absolutely required for its prevention or extinction. It is propagated by mediate contagion. That is, it does not require one animal to be placed close to another animal for propagation. A man may carry it from one part of the Kingdom to another by getting some virus attached to his person or clothes. Dead matter may carry it in the same way. It is only paralleled by scarlet fever in the subtle way in which it passes from diseased to healthy animals through many means of communication. No measures, then, are too great against such a deadly foe as cattle plague, and nothing but heroic remedies can accomplish its extirpation. The other two diseases, so far as direct experiment has yet proved, are rarely propagated by mediate contagion. They generally, at least, pass from a diseased to a healthy animal by direct communication. Experiments have been made in the Brown Institute by taking virus from the hoofs or saliva from the mouth of animals affected with foot-and-mouth disease, and trying to infect healthy animals with the poison thus carried to them, but without effect. Similar experiments have been made with pleuro-pneumonia, with a like negative result. The three diseases, then, do not stand on the same basis. Against cattle plague measures cannot be too strong or too wide, and the Bill simply confirms to the Government the great powers which it already possesses by previous legislation, and which has been found to be ample. Hence we may leave it out of consideration. The Bill now proceeds to attack the two other diseases, pleuro-pneumonia and foot-and-mouth—the last of which it assumes to be of foreign origin. My hon. Friend the Member for Birmingham (Mr. Muntz) is clearly of opinion that these diseases rise spontaneously under unfavourable conditions to health. I cannot agree with him. I believe that in all probability they are of foreign origin. They are certainly as specific in their character as we can conceive. Just as a dog is required to produce a puppy, or a rose tree a rose, so must you have either of these forms of disease pre-existing in order to plant it in the body of a healthy animal. I have not met any conclusive proofs that these two diseases are indigenous to this country. I, therefore, make what the supporters of this Bill will deem to be a large admission, when I class them as imported diseases. But, then, that is true of many diseases. Syphilis, for instance, in this country, is clearly an imported disease. It was not known in Europe before the conquest of Mexico, nor did it reach this country previous to the reign of Henry VIII. Scarlet fever, diptheria, and, perhaps, measles, are imported diseases. Yet how hopeless it would be to suppose that you could extirpate these diseases now by stopping importation from abroad. They have become home diseases by long domestication, and you must consider them and treat them as home diseases. Let us deal with pleuro-pneumonia first. What is the use talking of it now as a foreign disease, when one of the chief witnesses for the Bill, Mr. Gamgee, makes the astounding assertion that 70 per cent of all the cattle which die a natural death in this country die by this disease? This may be an over-statement, but it is what this competent witness asserts. This Bill, however, is not chiefly aimed at pleuro-pneumonia in relation to foreign cattle. Last year, 5,168 animals were slaughtered at home tainted with this deadly disease; but only 22 of the foreign imports were found to have it. Besides, if pleuro-pneumonia were chiefly in the minds of the framers of the Bill, why were sheep and pigs of foreign origin doomed to slaughter? They are the chief source of food to the poorer classes, and as they do not take pleuro-pneumonia they might have been exempted. The Bill is, practically, a foot-and-mouth Bill. I agree with those who think that disease a serious one. A fatal disease it is not, but it is one which seriously affects the production of food in this country, and does damage both to producers and the consumers of food. That it could be extirpated I have no doubt. But its extirpation requires two conditions. First, there must be unlimited arbitrary powers of dealing with it at home, where the disease is most rife; and second, complete stoppage of importation from abroad. The Colonial Secretary says that these two conditions form the principles of the Bill; but they are not both carried out with equal consistency. The Committee, on whose Report the Bill is said to be framed, describe clearly enough both conditions in page 20 of their Report. They speak of

> "A much stricter regime than hitherto; districts affected with pleuro or foot-and-mouth disease to have all movement of cattle prohibited, except under licence; fairs and markets to be under similar restrictions; and absolute prohibition of movement against inflicted farms, of two months in pleuro-pneumonia, and 28 days in foot-and-mouth disease."

Now, give an efficient administrator, like Professor Brown, such powers; support him with all the authority of the Privy Council; and, above all, back him up by united public opinion, and I quite agree that in a few years the disease could be extirpated. You could stamp out hydrophobia in dogs in a like way. But does the Bill propose any such heroic measures of repression? The wide districts contemplated by the Committee have shrunk in the Bill to the phrase, "cow-shed, field, or other place"—even the term "farm" has shrivelled into the word "field;" the 28 days have contracted into 14 days; the restrictions against fairs and markets have disappeared; and the absolute prohibition of movement has become a discretionary prohibition to the Privy Council. Now, I am not prepared to object to all these changes. I think heroic measures of repression are all very good when they are worth applying. It would be an effective way to get rid of one's corns to chop off the feet, but the remedy would be worse than the disease. No doubt, by the recommendations of the Committee, you might stamp out foot-and-mouth disease; but you are likely to stamp out the farmer at the same time by the severity of the measures applied against him. In any case, such measures must of necessity raise for a time the price of home meat. The Government felt it was impossible to apply the necessary measures of restriction to home cattle, and, therefore, they have not attempted it in the form in which the Bill has reached this House. Still, I believe the clauses as they stand will be productive of good result, and will mitigate the disease. Just as the Dairy Clause (32) will attack pleuro-pneumonia in its hot-bed—the town dairy—and will mitigate it, so I think the sanitary provisions, which will follow a partial repression of foot-and-mouth disease, will lessen it. But as to extirpation of an acclimatized disease by such mild measures, there is not the remotest probability. You might as well expect to extirpate typhus or scarlet fever by occasional raids on common lodging-houses. The disease is now fully with us as a home disease. It rises and falls, like all other acclimatized epizootics or epidemics, and I fear we must endeavour simply to mitigate it by sanitary regulations. I will not call the home clauses against foot-and-mouth disease a sham; but I certainly coincide with those who call them a delusion, if they are to be read by the public, or to be believed in by farmers, as clauses for extirpating home disease. Now for the foreign clause and Schedule. For home extirpation, the recommendations of the Committee have dwindled into a delusion; but the Committee only recommended severe measures against foreign cattle, if the home measures of repression were made severe and efficient. This necessary combination has been lost; but the foreign cattle are still condemned to death at their port of debarkation. As against foot-and-mouth disease, what can be the use of this? The incubation of that disease is generally about 36 hours. Cattle from Spain, Portugal, and the Scandinavian States require much longer than that period for transit, and then have 12 hours' detention on arrival. If they arrive diseased, the present law enables them to be slaughtered. If they are not diseased, why should they not be sent to their natural markets for slaughter? Last year less than 4,000 imported animals were found to be tainted with foot-and-mouth disease, and they were all slaughtered, as well as the healthy animals which were in their company. They arrived at only a few ports, and there is no evidence that from these few *foci* disease entered the country. But if it had, how insignificant it would have been compared with home disease in a year of epizootic. The last year for which we have full statistics is 1871. In that year there were above 52,000 distinct outbreaks of foot-and-mouth disease in Great Britain, attacking about 700,000 animals, besides about 200,000 in Ireland. How absurd is it, in the face of such facts, to be in terror of a few ports of importation, especially when existing powers have proved amply sufficient to deal with the disease on its arrival! If the protective armour is insufficient, strengthen it in its weak points; but do not rush into wholesale prohibition of foreign cattle. I challenge the Government to give me one single instance in which disease has been imported into our homesteads from the clean countries of Spain and Portugal, Norway or Denmark. The Privy Council, even now, can at any time schedule countries which become unclean, or offend habitually by sending diseased animals. But what possible justification is there for scheduling countries which are practically free from disease, because accidentally one, or two, or a dozen infected animals might come into England, though it might contain, at that very time, hundreds of thousands afflicted with the malady, and with thousands of centres of infection distributed all over its area? I am perfectly convinced that when the public understand the question, they will demand that Spain, Portugal, and the Scandinavian States shall be made as free as America. Yet that concession should not suffice. The present powers are sufficient against all unclean countries. Statutory prohibition for foreign animals was only justifiable when you intended to have absolute prohibition against propagation of disease within our own country; but when the latter has become whittled away so as to be only nominal, and that nominal prohibition is discretionary, why not be content with the present large powers possessed by the Privy Council? It is right, in law and in justice, to refuse cattle from unclean countries; but how can you justify exclusion when they are clean? If France, Belgium, Germany, and Holland become free from disease by sanitary regulations which they are endeavouring to establish, how can you exclude them by statute with any show of justice? France, as a Treaty country, has the favoured nation clause, and other countries have their diplomatic rights, and if they ask you why you favour America and refuse their clean cattle, how can you meet their remonstrances? All justification for such legislation is gone when our home restrictions are wholly insufficient to effect extirpation of disease. It is thus that a Bill, which originally and honestly intended to effect extirpation, has gradually and unconsciously become a Bill for the protection of trade. Before I proceed to show this, let me notice the noble Lord's (Viscount Sandon's) history of how this Bill was forced on the Government. He is reported by *The Times* to have said that the Government had to face the startling fact that in 1877 live stock was less by 2,510,000 than in 1865. He stated that this large reduction resulted from the panics produced by repeated attacks of disease—originally by the cattle plague of 1865 to 1867, then by repeated outbreaks of pleuro and foot-and-mouth, and by the renewed attacks of cattle plague in 1872 and 1877. Discouraged by these, the farmers lost confidence in their cattle, ceased to breed them, and hence this alarming reduction in numbers. The history is clear and concise, but it is not supported by facts. The horned cattle of this country increased wonderfully after the panic of 1865-7. In 1866 there were 8,500,000; in 1868 there were more than 9,000,000; and they went on steadily increasing up to 1872, when another cattle plague panic occurred. In that year they were nearly 9,750,000; but in 1874 they became about 10,250,000. It is only after 1874, when we got three bad harvests, that cattle decreased; and the reason has already been repeatedly explained—that farmers had to sell cattle to realize money. But even with this reduction, there was in 1877 above 1,000,000 more cattle, in the country than we had in 1867, notwithstanding that there were 4,000,000 of increase in the population to consume them. Therefore, there is really small grounds for alarm at the temporary reduction caused by three years of bad harvests. With a little more variation, the same is true as to sheep. In 1866 there were 26,333,000 sheep, and in 1874 they had increased to nearly 35,000,000. It is entirely contrary to fact to say that these disease-panics have largely decreased production. If you examine English counties you will find that diminished production seems to have very little relation to disease. My hon. Friend, and old cattle-plague Colleague, the Member for South Norfolk (Mr. Clare Read) knows that he represents a good agricultural county, which is not to be scared by such false panics. That county has been afflicted with foot-and-mouth disease severely; but last Returns show that production is augmented by 4 per cent. Cambridge is in the same position, and many other counties; while Buckinghamshire and Oxfordshire, which have not been so heavily afflicted, have largely lessened in production. The Government must know by this time that, since 1874, diminished production has other and deeper causes than a disease-panic. I now beg to say a few words as to the effect of this legislation on the price of a first necessary of life. My hon. Friend the Secretary to the Treasury (Sir Henry Selwin-Ibbetson), who defended the Bill at its second reading, said Government was prepared to stand or fall by it as a consumers' Bill. If it raised, and did not ultimately lower, the price of meat it was a bad Bill. I am not going to travel over the whole argument again, but only to refer to such portions of it as are within my own knowledge. With considerable variations, owing to imperfect methods of preservation, I believe, the dead meat trade will increase. Of course, now there can only be such a trade where there is plenty of ice; but, before long, I have little doubt, compressed air will be used as a source of cold instead of ice, and then even tropical countries could import dead meat to us. But that is in the future. We must recollect, however, that imported dead meat, when once out of the preserving chamber, is not a bit better or more manageable than dead meat at home. It must find an immediate market, and cannot wait for it. In hot weather like to-day, cargoes of American dead meat have begun to sell at 7*d.* per lb. in the morning, and have fallen to 3*d.* per lb. in the afternoon. A winter trade in it is steady enough, but a summer trade is hazardous. My hon. Friend the Member for Glamorganshire (Mr. Hussey Vivian) studied the American meat trade at Chicago very much at the same time as myself—last autumn. He has told us rightly that dead meat comes over from there at 1*d.* per lb. But he has not explained why it pays importers to bring in live cattle from America at a transit cost of 2½*d.* per lb. The reason simply is that the living animal can be made to adapt itself to the market, while the dead meat must be forced upon the market at all loss. The noble Lord the late Vice President of the Council (Viscount

Sandon) says, that the Schedule would permit foreign animals to be kept alive at the port of debarkation, so as to wait for the market. But this will not suit small towns. To them a live animal is sent to wait its needs, and a dead meat supply is not found to suit its exigencies. There is this large practical fact staring us in the face, that it is cheaper to give 2½*d.* per lb. for the transport of live meat from America, than it is to pay 1*d.* for dead meat. The introduction of live animals from abroad from May to August has been of great value to the consumer, by checking a rising market, when English meat is scarce and dear. But America will not in future send you much live cattle in July and August. Importers have got over their transport difficulties. Heavy weather does not prevent importation; but the hot weather and the Gulf Stream in July and August is too trying for American cattle. Then, the losses are heavy, and Texan-fever breaks out among them. Still, in these two months, Spain and and Portugal, Denmark and Norway, could keep up the living supply. But the Bill will prevent this. And in the two hottest months of the year, when dead meat will not travel, when American cattle are not likely for the future to come over, you are going to prevent an importation of living cattle from countries which are much cleaner than our own country, and you contend that this interference with trade will not affect the price of meat! America, however, does not supply us with mutton. Germany, and sometimes France, gives us an abundant supply, especially of small lean sheep, from January to July, when English sheep are scarce. Manufacturing and mining districts prefer this class of sheep; but they like, also, to kill them when they wish to do so. The dead meat trade in mutton has been tried with them, and I am assured by importers that buyers from their markets became scarcer and scarcer. We are, by our legislation, going to say to these great mining and manufacturing centres, that they must take large fat English living sheep, at a higher price, when they prefer smaller lean sheep, if they are allowed to kill them in their own way. You cannot put restrictions on markets without materially reducing imports and raising prices. Can this be doubted, when we look at the imports of foreign cattle? A steady and increasing trade in cattle and sheep went on from 1856 to 1865. Then came the rinderpest, and various countries were scheduled. The imports tumbled down for several years, but gradually recovered. Thus, in 1876, when foreign countries were again scheduled, an immediate decrease of imports took place. This is the necessary result of all restrictions on trade. In conclusion, let me remind the House of one fact. There is a tendency in this country, but especially in Ireland, to use land for cattle instead of for crops. I must ask your confidence as a chemist, when I state that I have calculated and published in full detail, the nutritious value to man of food produced by cattle fed on pasture as compared with the crops produced when the land was in cultivation. On striking this balance, I found that Ireland in 10 years had lost in food production as much as would support about 2,000,000 of a population. I am not speaking of the policy of changing arable into pasture land, but simply of an arithmetical fact. Now, if we are producing less food in this country than we did before by changing our system of agriculture, is it wise that we should place unnecessary restrictions on the importation of food to the people? I think the House must be convinced by the arguments from both sides, that the measures for extirpating disease from our home cattle are wholly illusory. Not one particle of evidence has been given that our farmers are not sufficiently protected against the importation of diseased cattle by our existing arrangements. If they are defective, they can be improved. But do not let us impose unnecessary and heavy restrictions on the meat markets, when we know that all restrictions augment the price of a commodity. Surely this is a disastrous policy at a time when the working classes are poor, and when trade shows no signs of revival? I fully and heartily believe that the framers of this Bill did not intend to establish a protection for the English producers of meat. But the intention is of little consequence, if the result of the measure enhances the price of food to the people.

Mr. CHAPLIN said, that the right hon. Gentleman was an antagonist of no little weight, and the main objection urged in his admirable speech was that the measure would restrict the supply and increase the cost of the food of the people. Its object was to stamp out diseases at home and to prevent their re-introduction from abroad, and it sought to attain its objects by imposing severe restrictions at home and enacting compulsory slaughter at the ports. It was not intended by compulsory slaughter to stamp out disease, but to prevent disease coming in, and it had not been shown that the object would not be attained. Of course, it was the common object of all not to restrict, but to enlarge, supply, and not to increase, but to lessen, the cost of food to the people. It was because the Bill would accomplish these objects in a satisfactory and a permanent manner that he intended to support it, and he thanked the Government for their earnest attempt to deal with so great and important a question. It was admitted that existing legislation had failed to prevent the introduction of rinderpest and other diseases from abroad; and that alone prevented the skilled producers of this country from developing their herds and stock to the extent they otherwise might do, and which they would do under the security which this measure would afford them. It was abundantly proved before the Select Committee that the production of cattle in this country was largely checked by diseases brought from abroad, and the constant fear of them. So long as that was the case it was hopeless to expect any permanent reduction in the price of meat food. It was to their own production that they must chiefly look for their sources of supply, supplemented by the import of dead and live meat from America and from the Continent. It was difficult to arrive at the exact proportions of these three sources; but he would assume that the foreign import was 12½ per cent of the whole. In the first five months of 1877 there were imported into this country 40,000 tons of dead meat from America; in the same period of 1878, 59,000 tons. In addition, America sent us in 1876, 3,070 live cattle; in 1877, 19,000 tons; and in the first five months of this year 16,705. With regard to the dead meat trade with America, he was perfectly well aware of all the objections raised to that source of supply. There were great difficulties to contend with; but all the evidence seemed to show that where the import had been unsuccessful the want of success was due to imperfect arrangements on board ship, and this was no more than was to be expected in the infancy of the trade. Practically, an unlimited supply of first-class American meat could be delivered in London, at the very hottest time of the year, in good condition, at 6*d*. per lb., a price which would give a good profit. Now, when the right hon. Gentleman objected to the quality of this meat upon its arrival in this country, it would be necessary to quote evidence in reply to that objection.

MR. LYON PLAYFAIR said, he did not object to the quality.

MR. CHAPLIN: The condition I meant to say.

MR. LYON PLAYFAIR: Nor the condition. I stated that it was like any other meat that came out of the preserving-room, and would corrupt like any other.

MR. CHAPLIN said, the evidence showed that the meat landed in Liverpool from America, owing to the peculiar process of preparation it underwent before leaving America, would travel further and keep better than the meat of animals killed at Liverpool on the day of the landing of the American meat. That evidence was never shaken throughout the whole sitting of the Committee. He put that evidence against what was said by the right hon. Gentleman. The dead meat trade with America had had to encounter much opposition from the meat trade in this country; but he was convinced from all he had seen and heard that very great things, indeed, might be expected from the development of the dead meat trade with America. The right hon. Gentleman said that the live meat trade with America was increasing still faster than the dead meat trade. He was not aware of that fact, but he was glad of it. It opened up another source of supply. This Bill did not interfere with the importation of meat from America. There was no need to stop the importation of live cattle from America, because they did not import disease at the same time, and that was the great distinction between America and the Continent. From the Continent they, unhappily, had imported, time after time, disease with the cattle, and this Bill very justly proposed to put a stop to that state of things in the future. With regard to the Continental supply and the production at home, he asked himself this question—Were they prepared to be content with the present position and the price of meat, or ought they not to try to do something to amend it? If they gave up the Continental supply, what would be the effect? He believed its place would be far more than filled by the greatly increased supply from America, and the enormous additions to their own herds and flocks. But, suppose he was wrong, what could be the worst that would happen to them? What was the risk? The right hon. Gentleman the Member for Bradford (Mr. W. E. Forster) stated that the foreign supply was 12½ per cent. of the whole of their consumption, and he said that if this clause were carried, at least one-fourth of that would go. So it came to this—they might possibly lose 3⅛ per cent of the whole of their consumption, but that loss could only be incurred in the improbable, the almost impossible, event of there being no increase from America and no increase in the home production. He asked the House to believe that the risk became infinitesimal, and would not justify them in standing still instead of trying to improve their position. Since 1871, while there had been a decrease of 400,000 acres of arable land in this country, there had been an increase of pasturage of nearly 1,000,000. They would naturally expect that there would be a corresponding increase in the stock of the country. But what were the facts? He found that while the price of meat had been steadily rising, the number of stock in the country during the last three or four years had steadily diminished. The mean price of beef at the Metropolitan Cattle Market had steadily risen during the last 10 years from 6 1-16*d*. per lb. in 1868, to 8 1-16*d*. in 1876, the latest year of which there were at present any Returns. What was the case as to stock? The number of stock last year in the country was 5,697,000, as against 5,423,000 in 1868. That was to say, in round numbers, only about 270,000 more than it was in that year, when they had just lost nearly 1,000,000 directly by cattle plague, and indirectly it was impossible to say how many more. From 1868 it rose very slowly to 6,100,000 in 1874; but from that time to this it had been steadily falling, and in 1877 it was 2½ per cent less than in 1876. That was a curious and not a very satisfactory state of affairs, and how were they to account for it? He heard it described as the decline of agriculture in England; but the decline of agriculture in England, if permanent, would mean nothing less than the decline of England itself. They were nothing if not an agricultural people. Therefore, although they had not yet come to that pass, the facts he had stated betokened a state of affairs which demanded the attention of Parliament and the country. He expressed his firm conviction, when he declared—and the opinion was shared in by many practical men, producers and breeders—that the ravages these diseases had made in their flocks and herds—diseases imported into the country—were mainly, if not entirely, responsible for the present extravagant prices of meat and the restricted supply. In 1865 alone no less than 1,000,000 of cattle were lost by disease, and the value was estimated at £5,000,000 sterling, to which was to be added a sum of £10,000,000 as prospective loss, making altogether a sum of £15,000,000; and since that date he was of opinion that their flocks and herds had not recovered from the ravages of the disease, and they never would do so until they had the protection which was afforded by that Bill. Do that, and then they might hope to see an increased supply and a corresponding decrease in the price of meat. There was no doubt, he thought, as to the origin of the cattle plague—except, perhaps, in the mind of the hon. Gentleman the Member for Birmingham (Mr. Chamberlain)—for it always came from abroad, and all restrictions short of compulsory slaughter at the port of landing had proved wholly ineffectual to keep it out of the country. With reference to the foot-and-mouth disease and pleuro-pneumonia, he was quite prepared to admit there was a great deal of conflicting evidence; but the balance of evidence was distinctly against their being indigenous. What they had to do was, to stamp out the disease and prevent it returning again. The right hon. Gentleman had a great deal to say on this point; but if the restrictions proposed were not stringent enough, they would no doubt be prepared to increase them in Committee. Then the right hon. Gentleman said that the remedy was worse than the disease. That was a matter of opinion, and the farmers thought otherwise. Then the right hon. Gentleman the Member for Bradford said the restrictions would be inefficient altogether. He said—"I disapprove your clause relating to compulsory slaughter, but if I thought you would be able to stamp out these diseases, then I think I should be obliged to support you; but you will not be able to do so, therefore I must oppose you." How did the right hon. Gentleman support this view of the case? He quoted the evidence of Professor Brown, who said it would take seven years to stamp out this disease; but he seemed to forget that Professor Brown gave evidence on two different occasions, and that on the second occasion his testimony was much modified as compared with that which he gave previously. But although he acknowledged the authority of Professor Brown, he could not admit that he was the only man in the country whose opinion was of value; and, as it was a matter of importance for the House to arrive at an accurate view of the possibility of stamping out the disease, he would quote the opinions of other authorities. Mr. James Howard, who was at one time a Liberal Member of tho House, and was also one of the most eminent and advanced among scientific agriculturists, was examined before a Royal Commission, and in answer to the Question—"Do you think that you could stamp out foot-and-mouth disease?" he replied—"Certainly; nothing would be easier." Mr. Howard was questioned further, as follows:—

> "Do you think it would be worth while, for 12 or 18 months or two years, to impose these restrictions with the view of getting rid of these diseases?"

To this he replied—

> "I do not think that so long a time would be necessary. I think that if very vigorous measures were taken, the whole country might be free from disease in three months."

Mr. Stratton—a member of the Executive Committee for dealing with contagious diseases in the county of Wilts—was also examined, and said—

> "Whenever we get an outbreak of rinderpest and the restrictions consequent upon it, we always get a great diminution in the prevalence of foot-and-mouth disease."

The same gentleman afterwards pointed to the fact he had mentioned as an evidence in favour of the possibility of stamping out the disease. Mr. Booth, a well-known Yorkshire breeder and grazier, also gave evidence. He was asked—

> "Do you think that you could prevent foot-and-mouth disease if there were no importations of live stock?"

Mr. Booth replied—

> "I do not see why we should not. Professor Brown told me individually that we should have foot-and-mouth disease all through this country this spring; and he has since told me that the restrictions that have been put on in consequence of the cattle plague have stopped his prophesied outbreak."

That was not all. The Secretary to the Treasury had quoted as evidence the case of the county of Cumberland, where foot-and-mouth disease had been entirely stamped out owing to the imposition of cattle plague restrictions. What stronger evidence could be adduced? The right hon. Gentleman the Member for Bradford did not seem to him to have taken up a fair position in reference to this question. He had expressed an objection to compulsory slaughter; but, at the same time, said he was willing to accept the proposed restrictions, and was prepared to support some parts of the Bill.

MR. W. E. FORSTER said, he never intended to convey to the House that he approved the restrictions.

MR. CHAPLIN said, this being so, he failed to see what parts of the Bill the right hon. Gentleman would support. The measure consisted mainly of two proposals—one to stamp out the disease, and the other to prevent its introduction; and if the right hon. Gentleman objected alike to the restrictions and to compulsory slaughter, he failed to see what parts of the Bill he was prepared to support, or even to accept. The farmers had told the House, over and over again, through their Representatives—whose opinion the House was bound to take against that of muddle-headed Professors—that they were prepared to accept such restrictions as would be necessary to stamp out disease; but they would not accept these unless security and guarantee were given that all their sacrifices should not be made in vain, and when made that they should not again be flooded with disease. He had that morning received a letter from an eminent agriculturist in Lincolnshire in reference to the question. His correspondent wrote as follows:—

> "The restrictions are most serious as far as the farmers are concerned, but providing we can be guaranteed against the diseases which have been such a serious injury to our stock breeding, we are most ready to bear them; but to have such complete and arbitrary restrictions without security is more than we could bear. I trust that the Bill will pass this Session, and that the slaughtering clause will be retained."

These words expressed his own views, and also the views of the stock breeders generally, as far as he had been able to ascertain them. He hoped the House would not be terrified by the ghost of Protection. Agriculturists did not ask for protection. They conceded to the full the right of the people to have free trade in meat to any extent they pleased; but while the people were right in insisting on that, they must not insist on free trade in cattle diseases as well.

MR. CHAMBERLAIN said, he claimed to speak from the consumers' point of view. In 1869, when the cattle plague was discussed, it was admitted that consumers had a right to claim the minimum of restriction and interference with trade consistent with the prevention of disease. That was admitted as regarded the cattle plague, the most deadly and insidious of cattle diseases; therefore, in dealing with the minor diseases of pleuro and foot-and-mouth, the claim was stronger, and the Government ought to show that the proposed protection from disease was worth the cost which the attainment of that protection would involve. He complained that, so far from carrying out the formula accepted in 1869, this Bill gave a maximum of interference with trade combined with a minimum of protection from disease. He feared that the last thing which the Bill would do was to stamp out disease, and the only thing it would certainly do was to stamp out the foreign trade in live cattle; and so, by decreasing the supply, increase the price of meat. The Bill was compulsory with regard to the provisions which would shut out foreign cattle from this country, and permissive as far as the regulations were concerned which would protect our herds from home disease. The last speaker told them they were to pay no attention to the opinions of the Professors, but to rely upon the opinions of the Gentlemen who represented the agricultural interest. He, however, thought a great deal of the evidence was interested evidence on both sides of the House. There was the evidence of cattle breeders and farmers, which represented one interest, and these were unanimous in considering that the exclusion of foreign cattle from our ports would not only be a good thing for them, but also for the consumer; whilst, on the other hand, importers of cattle took an exactly opposite view, and were equally unanimous in declaring that it would be an injury to the consumers. He ventured to submit that such evidence should always be accepted with reserve, as they all knew the opinions of honest people were unconsciously biased by their own interests. Several witnesses gave evidence before the Select Committees of the House of Lords and the House of Commons to the effect that it would not be worth while to stamp out foot-and-mouth disease at the cost of the regulations, without which it would be impossible to achieve any considerable success. Mr. Gamgee said that in order to have absolute security it would not be sufficient to exclude live animals, but that hides, offal, and dead meat must also be excluded; and this evidence was confirmed by Professor Simonds. He had been struck by a remark made on the second day of the debate by the hon. Member for Oxfordshire (Mr. Harcourt), who said this Bill was only an instalment of what he and his Friends desired. If this were so, he did not know where we could stop until we excluded from the country not only live animals, but everything in the shape of meat food which was at present imported for the supply of the people. It would not be sufficient for the Government to make the concession suggested on the other side of the House, and to exempt Denmark, Norway, Sweden, Spain, and Portugal; because Germany, which had adopted stringent measures for preventing disease, and other countries, might become as healthy in time as the countries he had just mentioned were at present. Ridiculous as these regulations appeared, they were still more anomalous and absurd when they were contrasted with the regulations relating to live stock. He should like to know why the hon. Member for South Norfolk (Mr. Clare Read) and his Friends supported a measure which contained provisions that were directly opposed to the proposals they themselves brought forward in 1873? There appeared to him to be a certain presumption in those who were not in the trade setting up to teach those who were. But why did not hon. Gentlemen extend to the United States and to Canada the same regulations they were going to apply to Denmark, Spain, and Portugal? In the case of Canada and the United States there was a dead-meat trade already, and it was said it would increase. But the evidence of Mr. May, Consul General of the Netherlands, and competent witnesses from Holstein and Germany, was to the effect that if we adopted the regulations proposed in the Bill the supply from those countries would be stopped; and the reason they gave was that the competition was so great, and there were so many things in favour of this country, that a very little would turn the trade elsewhere. And if that were the result, then the Southampton Docks Company, and the Railway Companies which had laid out their money on the faith that this trade would be allowed to be carried on, would have a good claim for compensation; indeed a much better one than the publicans, who were said yesterday to be entitled to compensation in the event of the Permissive Bill being passed. Only a few years ago the whole country was made to contribute to an insurance fund to secure the farmers from loss, while in the case of any others the parties concerned would have to insure themselves. It was said that the home supply would be greatly increased if the Bill were passed. But the fact was, the farmers would then have no inducement to increase their home supply. The effect of the existing restrictions had been proved to be most injurious, and had increased the price of meat at least 1*d.* per lb., and if these restrictions were extended the price would become much larger. Now, where the supply of the food to the people was concerned, he would appeal to the House whether it was wise to adopt the principles of those whose wishes were father to their thoughts? In 1869 promises like those now given were held out. It was said by Mr. Howard, the hon. Member for Bedford, that there would be such a great increase in home production as would compensate the farmers for all they had suffered. But had the supply increased? On the contrary, the supporters of the Bill before the House went on exactly the opposite assumption—namely, that the supply had decreased. For his constituents this was a very serious matter. If the price of meat were to be raised only 1*d.* in the lb., that meant for the whole country an additional tax of something like £5,000,000 per annum; and at a time like the present, when we were suffering from depressed trade and heavy taxation, to run the risk of such legislation would not be wise. It would not be wise even for the agricultural interest to ask for it, for, if carried, it would create such bad feeling as would lead hereafter to a re-action which would sweep away those restrictions that by common consent would be pronounced unnecessary and mischievous.

MR. ASSHETON considered foot-and-mouth disease, perhaps, the most dangerous of all. Cattle plague was so rapid and so destructive that it would be met by immediate repression. Therefore, if left in the hands of the Privy Council, he had no doubt the cattle plague would be put down, and, as far as that disease was concerned, he did not think there was any necessity for the Bill. But for foot-and-mouth disease and pleuro-pneumonia the Bill was very important. The loss from foot-and-mouth disease was not sufficiently appreciated. The question was, if this Bill passed, would it increase or decrease the food of the people? He believed it would make meat more plentiful, and therefore cheaper; otherwise, he would not support it. If a certain number of cattle in a field were attacked by foot-and-mouth disease, there would be a loss to the farmer of £4 or £5 a-head; but the country would lose the full production of that field for that year. But if the disease were carried from the field to the parish, and from the parish to the county, the loss would be very much greater than hon. Gentlemen were disposed to admit. The hon. Member for Birmingham (Mr. Chamberlain) said this Bill was a piece of class legislation. It was legislation for the largest class in this country—for all those who ate beef. The interest of beef producers was not separate from that of the beef consumers. What were the Mining Acts but class legislation? They were passed for the benefit of those who worked in coal-mines; but the superintendence of mines by the large body of Inspectors appointed under those Acts was not only beneficial to the workers in coal-mines, but also to the consumer of coal, inasmuch as that superintendence tended to a reduction of the price of coal. The farmers asked the House to make such regulations as would enable them to carry on their trade with safety and under circumstances which would enable them to produce more beef for the country. He had not the least doubt that the farmers would submit to the irksome regulations which were shadowed forth in this Bill. If regulations were to be useful, they must be stringent and uniform. The Bill fulfilled those conditions, and he would heartily vote for it. He regretted that the hon. and learned Member for Leeds (Mr. Wheelhouse) was not in his place; because he wished the hon. and learned Gentleman to explain why all the calves that were produced in the North of England were sent to Leeds, and what they did with them when they got there?

Mr. M'LAGAN believed that the Bill was framed, and was intended, for the good of the consumers. It affected the interests of the foreign breeder, of the importers of foreign cattle, of corporations which had erected slaughter-houses, of the British farmer, and, most of all, of the consumer. No cattle after a long voyage should be kept long; and, therefore, the inconvenience which this Bill would occasion to a foreign breeder, or an importer of foreign live-stock, would be very small and only temporary. With regard to the interests of corporations, those who had built cattle-slaughtering houses could convert them at very little expense into dead-meat markets. As to agents, they could become dead-meat agents. He had received a Petition from one of these agents in support of this Bill. The agent saw that what this Bill intended to do must come some time or other; that dead meat markets must be encouraged; and, therefore, he had petitioned in favour of the Bill. Agriculturists had suffered very much by the importation of disease from abroad. In his own district farmers were giving up breeding calves altogether, the risk was so great. Not one calf was to be seen on a farm in Scotland, on which a few years ago there were 40 calves. Cows were kept not for producing calves, as formerly, but only as long as they gave milk, and then they were killed off fat. [An hon. MEMBER: Where do the calves go, then?] The calves, when produced, were killed as they were born, so that the country suffered great loss. The right hon. Member for the Universities of Edinburgh and St. Andrews (Mr. Lyon Playfair) had denied that this diminution of stock arose from a dread of disease. The reason he gave was, that farmers were suffering so much from bad harvests that they had to sell their stock. From that, it might be supposed that they had sold off their stock which produced most money—namely, that at two years old and upwards; whereas the decrease in numbers was found to be in cattle under two years old, showing that it was due to a diminution of breeding. He knew one farmer who lost 10 per cent of his breeding stock from foot-and-mouth disease. He had 50 cows affected in one year, and had not a single calf from any of those cows. On another farm, where there were 600 ewes, 400 lambs died in one year, while the other lambs were so weak that they could scarcely be brought up. It was absurd, therefore, to say that foot-and-mouth disease was not injurious. He did not say the Bill was sufficient for every purpose; but that was no reason why he should not vote for the second reading, in order that they might make it more stringent in Committee. If it was beneficial to the farmer it must be beneficial to the consumer, for increase of supply meant diminution of price. Some hon. Members had made a distinction between the importation of live and dead meat. His opinion regarding meat when carried dead or alive was all in favour of the former, and the dead meat was far better for the consumer than the live meat. All had seen the cruelty practised in driving live cattle to the market. All knew that the meat of animals killed in the heat of a great struggle was deteriorated, and was not so good as those killed quietly at home. He maintained, therefore, that it was to the consumers' interest that the traffic in dead meat should be encouraged as much as possible. It was because they could keep the cattle in America until they were older that better meat came from that country. Farmers here could not afford to keep their cattle so long on account of the risk of disease.

The question was, would slaughter at the port of debarkation prevent disease? Fifteen years ago he was one of few in Scotland who advocated more stringent regulations at home. He found that there was little or no disease where strict regulations were in force. One reason why he did not wish at that time to impose strict regulations on cattle from abroad was that he thought the country could not do without them. His opinion had been changed in consequence of the importation of dead meat. He found that the dead meat traffic was being carried on in a great many more places than people were aware of. One gentleman told him that he was able to send his dead meat 50 miles, and get more for it than for his live stock, which he sent only 10 miles. When it was said that there had been a falling off in the dead meat from Aberdeen, he might say the reason was that the railways did not give proper facilities for the dead meat trade. If this Bill were passed, the railways would give greater facilities. It was much cheaper to carry live meat than dead meat; but let the carriage of dead meat be made regular and necessary, and the railways would give facilities. If he were asked why all foreign cattle should be slaughtered at the port of landing, he would say that it was proved beyond doubt that diseased cattle had been imported into this country from countries where there was no disease. It arose from the boats wherein diseased cattle had been conveyed. There could be no doubt that foot-and-mouth disease was brought from Spain at a time when that disease was unknown in that country; and the disease was traced to the hay which was sent from Ireland, where foot-and-mouth disease was prevalent, for food for the cattle during the voyage. The right hon. Member for Bradford had calculated that the effect of this Bill would be to reduce the number of cattle imported by 50,000 a-year; and he asked what right had we to interfere with the arrangement made in Denmark and elsewhere? The answer he (Mr. M'Lagan) would give was by asking the question, what right had the Danes to expect us to run the risk of importing disease into this country? Besides, the right hon. Gentleman forgot that there was at present an annual diminution of about 160,000 of our home cattle caused by disease and dread of disease, and the effect of the passing of this Bill would be not only to prevent this decrease, but to increase the number of home cattle, which would far more than compensate for the loss of 50,000 foreign cattle, if such loss would ever take place. Immediately after the regulations came into force farmers were prepared to begin to breed as they had done before. When the Committee issued their Report last year the farmers in Scotland began raising calves as they did formerly; and he believed the result would be that in a short time the live stock in the country would be increased in a proportion greater than the loss of the live stock from the Continent. But he did not think there would be any depreciation in the number of live stock brought from the Continent. For the reasons he had given he was prepared to support the Bill, and in the hope that it would be amended, where necessary, in Committee.

SIR ALEXANDER GORDON said, every hon. Gentleman who had addressed the House had admitted the necessity of some restrictive measures being adopted to stamp out disease amongst cattle; but many hon. Members had expressed the belief that these restrictive measures must be borne by one of the parties interested in the question, and not by both. The producers and consumers were the interested parties; and, in his opinion, this burden ought to be borne equally by both. The hon. Member for Birmingham (Mr. Chamberlain) commenced his speech by admitting that reasonable protection ought to be given to the producer of cattle against disease; but, having made the admission at the outset, the effect of his speech was that no protection ought to be given for the benefit of the producer. The object was to get a healthy supply of meat for the consumer, and Government proposed that should be effected by slaughtering at the port of debarkation. The slaughter at the port of debarkation introduced an entirely different method of transacting business to that which had hitherto been in vogue. Up to the present time the middleman had had a very important share of the cattle traffic. The cattle were first of all brought up to Islington market, and there passed into the hands of the middleman. The profit necessarily made by him very much increased the price to be eventually paid by the consumer.

When the cattle came to be slaughtered at the port of debarkation the middleman would no longer be necessary, the butcher in the country could obtain his meat direct from the port of debarkation without the intervention of any third person, and in that respect the consumers would benefit by the reduction of price. If anyone had watched the fluctuations in the value of live cattle, they would see that those fluctuations were not followed by corresponding fluctuations in the price of dead meat. When the price of live cattle fell 1*d.* per lb., the butchers still charged the same price to their customers, so that the benefit of a less price did not go to the consumer. That system would be changed by compulsory slaughter at the port of landing. He remembered the time when the dead meat trade from the North of Scotland was believed to be an experiment; but it had succeeded when it had to be conveyed by steamer, and it was doing better now by train. There was no fear that the supply of meat would be diminished by the steps the Government were about to take. There might be losses to individuals till the trade adapted itself to the demand; but he felt confident that in due time the means of obtaining fresh meat in the way proposed by the Government would be successful, and that the alarm which had been expressed in regard to increased prices would not be found to be realized. He intended, therefore, to support the measure, in order that in Committee it might be thrashed out into a practical and beneficial Bill.

Mr. ANDERSON said, a number of hon. Members had attempted to show that the price of meat would not be increased by this Bill becoming law; but he really did not think it was necessary to reply seriously to that argument. He looked upon the Bill simply as a protectionist measure. The Bill was entitled—

> "An Act for making better provision respecting Contagious and Infectious Diseases of Cattle and other animals, and for other purposes."

He should like to know what those other purposes were? He believed that the "other purposes" were for increasing the price of meat, and for raising the rents of land. That would certainly be the effect of the Bill, whether it was the purpose of it or not. This was not the first or second occasion on which the House had Cattle Bills brought before it; but the legislators of old times were far more straightforward in the expression of their opinions than the legislators of the present day appeared to be. At the time he spoke of the landlords had it all their own way, and perhaps it was not so necessary to be reticent of their intentions. Accordingly, he found that at that time the importation of cattle from Ireland was considered a very great nuisance, and a Bill had been carried intended entirely to put an end to that importation. The object of the measure to which he referred was stated in the most honest and simple manner in the Preamble. It was stated to be one—

> "For the preventing of coming in of vast numbers of cattle, whereby the rents and values of the land of this Kingdom were much fallen, and like daily to fall more, to the great prejudice, detriment, and impoverishment of this Kingdom."

Accordingly, the importation of cattle from Ireland was declared to be "a publick and common nusance" which must be put down; and although it did not appear openly on the face of the present Bill that there was a similar object in view, the spirit of the measure was such that it might very well have been drawn up in those words. The Bill went, on some points, entirely contrary to the recommendations of the Committee of which he was himself a Member. He had no hesitation in saying that, although he entirely differed from the conclusions which were arrived at, and although he thought the Report which was drawn up a great deal too strong, the Report was nothing like so strong as the present Bill. It proposed to shut out all foreign cattle except American; but it was well-known that there was a great deal more pleuro-pneumonia in America, from which live cattle were still to be imported, than there was in Spain and Portugal, from which the importation of live cattle was to be entirely excluded. It was said the Bill was founded upon the Report of last year's Committee, and that Committee originated in last year's outbreak of cattle plague; but as regarded that outbreak, nothing could more fully prove that the present powers of the Privy Council were sufficient for dealing with cattle plague, for in a few weeks, by means of the existing regulations, the Government had been able entirely to repress it. That fact pointed its own conclusion—namely, that the Bill was not meant for cattle plague at all, but for pleuro-pneumonia and foot-and-mouth disease. Some hon. Members had said that this was not a Party Bill. It was quite true that the measure would not be fought out on the ordinary Party lines. But it was undoubtedly a Party Bill as regarded town and country. It was a Bill that would be opposed by the towns and by the large populations of the country that were consumers of meat; and it was a Bill which would be strongly supported by the producers of meat in the hope that it would raise the price of that commodity. How far the diseases were imported diseases was doubtful. The first and worst attack of cattle plague from which this country had ever suffered was at a time when all foreign importation was absolutely prohibited and unknown; yet so bad was that outbreak that it threatened to exterminate the horned cattle in the country, and a law was passed giving the King power to prevent the killing of cow calves. Later attacks of cattle plague, he thought, had certainly been imported; but, as regarded the other diseases, he had heard all the evidence on the subject, and he had come to the conclusion that whatever pleuro-pneumonia and foot-and-mouth diseases might have been at some distant period, they were now indigenous diseases, and that no temporary stamping out would eradicate them in this country, even if importations were got rid of altogether. It was well-known, he might add, that cattle which had left Ireland free from the foot-and-mouth disease had taken it on the voyage across the Channel, owing to the ill-usage which they had received, and that was a cause to which, he believed, it was to be attributed in many other instances. As to France, Spain, and Norway, they were more healthy than this country; and, therefore, the prohibition of the importation of cattle from them could be ascribed to no other motive than a desire to protect the home trade. Then the Bill would be very expensive in its operation. One of the clauses of the Bill dealt with the important subject of the erection of wharfs. The local authorities were to erect wharves for the reception of foreign cattle, and quarantine places, to be called "foreign animals quarantine wharf." Cattle were to be landed only at those wharves. But who were to pay the cost? Clause 37 said that the local authority might erect such wharf, but there did not seem to be any compulsion. He was afraid that quarantine stations would become hot-beds of disease, and if animals went into them sound, they would be sure to come out diseased. His opinion, however, was that all the provisions about the cattle being landed at certain wharves, about their being killed or quarantined there, about the ships which brought them being disinfected, and so on, would be costly enough to kill any trade, and certainly sufficient to prevent any fresh trade from being originated. The scope of the Bill seemed very wide, for while the Definition Clause confined it to ruminating animals, which he believed included camels, the 30th clause enabled the Privy Council to include any other animal whatever, and equally to include any other disease in addition to the usual cattle diseases. There were some clauses of which he greatly approved, and thought them the best thing in the Bill. These were the dairy clauses, relating to the supervision of dairies; and he wished to ask Government a question with regard to them, whether, since the Bill gave power to include all diseases, they were intended to apply to diseases human as well as animal? for there was a great amount of typhoid fever which was well known to have its origin in dairies. When the Bill was brought in the Duke of Richmond and Gordon, in the House of Lords, entirely repudiated the idea that the dairy clauses were intended to do anything except to afford protection from animal disease; but he hoped that would be made right. There were other clauses to which he had great objection, and he would not have alluded to them now but for the fact that their arbitrary nature made the whole Bill bad. Clause 59 threw the presumption of guilt on the accused, and required him to prove his own innocence; and sub-section 7 allowed real and material facts to be ignored or altered, in order to secure a conviction. The Scotch section of the measure gave no appeal from the order of two Justices, except to the High Court of Justiciary in Edinburgh, and anything more tyrannical than that he could not imagine. If a poor man were convicted by two

Justices in Caithness, he must go to Edinburgh in order to make an appeal—and not only so, but he must give security for the payment of the fine imposed upon him, of all costs already incurred, and of further costs which might be incurred. This was a provision which should not be allowed to exist in a Bill passed by any House of Commons. The provisions with regard to appeal in England were not quite so bad, as there was appeal to quarter sessions; but, with the extraordinary variation from other appeals, that fine and costs must be paid or secured first, and appeal after. He might inform his Irish Friends that they were to be still worse off; for, as he understood it, they must give security for double the amount of fine and costs before they could appeal. The Bill, in short, was a tyrannical, arbitrary, and oppressive measure. His constituents entertained a very strong feeling against it, and were by no means deluded by the idea that meat would be made cheaper by cutting off one great source of supply. There could be no doubt that the price of meat would be raised—a result which would be a present benefit, but a future evil, to the farmers. He would caution the farmers against too easily lending themselves to play the landlords' game. They might rest assured that the landlords would never allow them to secure the full advantage of such a rise in the price of meat, but would raise the rents at the next opportunity. He was sure that the farmers would ultimately be damaged, however great a boon the Bill might confer on them at first, and he trusted that they would not combine with the landlords to restore Protection in its most odious form.

Mr. GILES said, that in addressing the House for the first time, he knew that he should not ask in vain for that indulgence which was always granted to any new Member. As the Representative of a port very much interested in the importation of cattle, he felt bound to say the experience gained there was, that if the Bill passed into law, that importation would practically cease. The effect of scheduling France was that, in 1869, when she was free and unrestricted in her trade, she exported into Southampton 8,902 cattle, of which 8,154 were oxen; but last year she only exported 37, and this year not one single head of cattle into Southampton. Those figures, surely, would remove any doubts respecting the principle of indiscriminate slaughter. He believed that our importations would be diminished by more than the percentage ingeniously calculated by the hon. Member for Mid-Lincolnshire (Mr. Chaplin); and, as the foreign supply was stated to be from 10 to 20 per cent of the whole, he would leave it to the supporters of the Bill to say what increase of price would follow the diminished quantity. It had been said that the stoppage of importation of French cattle was due to the devastation caused by the German War. That might have been so for some few years; but he understood now that there were plenty of fat cattle in Normandy and Brittany in splendid condition, which would be brought over immediately the restrictions were removed: and he trusted, in the interest of all classes, that the objection to their importation would be speedily removed. He had no faith in these excessive precautions, and he believed that it would be found impossible absolutely to stamp out disease; it was to be regarded rather as a passing wave of infection, like cholera or some other contagious pest, against which no precautions could be wholly effectual. As for the Bill itself, he had not intended to vote against the second reading, as he had expected that the hon. and gallant Baronet the Member for West Sussex (Sir Walter B. Barttelot) would succeed in obtaining some modification of the provisions in regard to compulsory slaughter; but from what had fallen from the Duke of Richmond and Gordon, and from the noble Lord the President of the Board of Trade, he could gather no hope of any abatement of those restrictions. The Government appeared to go in for the Bill, the whole Bill, and nothing but the Bill. He quite agreed with the right hon. Member for Bradford (Mr. W. E. Forster), that there were several good points in the Bill; but as he conceived that the Act of 1869 was sufficient to put a stop to importation—as it had done in the case of Southampton—why should the Government go for further powers in that direction? Were not the existing powers, when rigidly enforced, sufficient to stop importation from any foreign country? He feared that the Bill had been framed under the influence of a pleuro-pneumonia panic. It was not proper to yield to that influence; and if the Government would not give some assurance of a modification of the provisions as to the slaughter of foreign cattle at the port of debarkation, he should feel it his duty to vote against the second reading of the measure.

MR. STANTON regarded the Bill as a very retrograde measure, and one that was unworthy of this country. A great enterprize having been begun for the importation of cattle with much benefit to the country, the Government now came forward to prevent that enterprize being continued, or, at least, to place such restrictions upon it as would prevent its being carried on successfully. He represented the inland districts, and these deserved some consideration. Whether cattle came in dead or alive to a port, the port must still receive some benefit; but that was not the case with the inland districts, as the restrictions must tend to raise the price of meat. A good deal had been said with reference to the traffic in cattle with Ireland, and notice had been called several times in the course of the debate to the condition of affairs on board the Irish vessels. In a recent letter published in a newspaper the state of the animals on board the Cork and Bristol vessels had been described as most revolting, and information which had been given to him at various times showed that there was too much truth in the description. Such a state of things ought not to be allowed to continue. He had also been told that the animals which had been improperly treated were not insured; but that horses were insured, and that proper care was taken of them, with the result of very little loss or damage. He was not speaking in favour of putting a stop to the importation of cattle from Ireland; on the contrary, he wished that importation to be put into such a state that it could be carried on safely and satisfactorily. He believed that if proper regulations were adopted—if no vessels were allowed to carry live animals without a certificate that they were properly fitted and provided as regarded accommodation and ventilation, and if the animals were not allowed to leave until they had been properly fed and rested—a great deal more would be done to remedy the evil complained of than would be done by compulsory slaughter. With regard to foreign vessels, if power were given to local authorities to refuse to permit the landing, or to compel the immediate slaughter on landing, of cattle from foreign vessels which were not properly provided, a remedy would soon be found. Believing that the restriction proposed by the Bill would cause great dissatisfaction to consumers, and would not give the producer the security he demanded, he should support the Resolution of the right hon. Member for Bradford.

SIR RICHARD GILPIN said, that Mr. Howard, the well-known agriculturist, was of opinion that the only way of keeping our cattle free from the diseases of cattle imported from abroad was to slaughter foreign fat cattle at the ports of debarkation, and to place stores in quarantine. He believed—contrary to the opinion of the right hon. Member for the University of Edinburgh (Mr. Lyon Playfair)—that the Bill, instead of diminishing, would increase the supply, and cause a reduction in the price of food. It was also his opinion that the Bill, by requiring fat cattle to be slaughtered at the ports of debarkation, would tend after some time to create a dead-meat market on the Continent of Europe, like that which now existed in America. He tendered his thanks to Her Majesty's Government for the introduction of the Bill just as much on the part of the consumers as of the owners, whom he had the honour to represent. He was not prepared to say that to every portion of the Bill he could give his consent; but he should certainly give the second reading his cordial and hearty support.

MR. O'CONOR said, the late Chief Secretary for Ireland (Sir Michael Hicks-Beach) had told them a few evenings ago that the principle of the Bill was to carry out the recommendations of the Committee of last year. Accepting that as the principle of the Bill, he might be permitted to make some observations with regard to that course. He had ventured to observe that, in his opinion, it would turn out to be a very useless Committee. He thought that there had been a sufficient amount of evidence gathered from previous Committees, and Royal Commissions, and Blue Books, which would enable them to dispense with any further Commission. About two days after he made these observations the hon. Member for South

Norfolk (Mr. Clare Read), perhaps the greatest authority in the House upon questions of that sort, made some similar remarks, and declined to serve upon the Committee, on the ground that it was perfectly unnecessary. The Committee made a Report towards the end of the Session; and when he saw that Report he changed his opinion, and came to the conclusion that the Committee had not only been useless, but worse than useless, for it was perhaps the most mischievous Report that had ever been presented to Parliament. The principle of the Report and of the Bill was the most extreme restriction with regard to the import of foreign cattle, and also the most loose restriction with regard to the treatment of disease at home. With regard to cattle plague and pleuro-pneumonia, there was very little difference of opinion in the House; the real question they were arguing being whether they were prepared to apply to foot-and-mouth disease the same restrictions that were recommended by the Committee of last year? He called upon his hon. Friend the Member for South Norfolk, as representing the farming interest of this country, to say whether they were prepared to accept those severe rules with regard to the extirpation of foot-and-mouth disease at home which all scientific authorities had declared to be necessary? There was no doubt that the general opinion was that, originally, the foot-and-mouth disease came from abroad. The hon. Member for Birmingham (Mr. Muntz) was the only Member who said that it had originated in this country. They had not to consider from where it originally sprang, it had taken such a deep hold in this country; and they had to deal with it as a home disease, and they were bound to consider the remedies necessary for its treatment as a home disease. A great deal of argument could be introduced in support of the view that the disease had spread, not from foreign imports, but from home imports. At present they had applied to the foreign imports a most severe set of restrictions. If a beast in a foreign cargo was found to be infected, the whole cargo was ordered to be destroyed. How could they expect to get rid of the disease at home unless they applied the same restrictions to the home trade? From his experience of the course of action taken in 1873 he had long ago arrived at that conclusion. He believed the fact that the cattle plague was raging when the Committee was sitting had caused them to rush into extreme measures which in their calmer moments they would not have contemplated passing. In another place he found it to be not so severe as the recommendation should have led to. The Committee recommended the most extreme restrictions in regard to home cattle; but when the Bill appeared, he found the restrictions upon foreign cattle repeated as strongly as when urged by the Committee; but it was very different with the home producer. Inconvenient as the restriction might be on home trade, there was not that hard-and-fast regulation by which foreign trade was bound. The Privy Council were allowed great discretion as regarded home trade; but in the foreign trade no discretion at all. The thanks of the country were due to the calm manner in which the Privy Council had acted, and for their having, in a large measure, got rid of the disease throughout the country in a very short space of time. After a second reading in the House of Lords that Bill was referred to a Select Committee. Witnesses gave evidence before that Committee, and in the result the Bill was reduced from the proposals it then contained to the Bill before the House. The Government had managed, in a very adroit way, to obtain approval of the measure from all sides; but when they came to examine the matter, they found that the reasons given for being in favour of it were of the most opposite character. Many witnesses expressed opinion that the regulations against foot-and-mouth disease were outrageously severe, and that the effect of stopping all traffic within a district and all fairs and markets—fairs such as as Ballinasloe and Mullingar—would be most disastrous to trade. But the hon. Gentleman in charge of the Bill re-assured witnesses by disclaiming an intention of putting in force these discretionary powers; while to witnesses with a different view, he pointed out the powers they might exercise if they thought it necessary to do so. Expression of opinion and Petitions one way or the other really determined nothing as to the opinion of the country. Looking at the Bill as it at present stood in relation to home restrictions, he did not believe a single clause would do much damage to anyone connected with the cattle trade between England and Ireland; but that it would do any good he was unable to see. The home restrictions were reduced to a minimum, while the import restrictions were left at the point where they were left by the recommendations of the Committee. In all the suggestions made for stamping out the disease, there was not one admitting that the provisions of the Bill would do it. It was admitted that it could be done; but anything approaching the mild restrictions of the Bill would not have the slightest effect. Those scientific witnesses whom the hon. Member for Mid-Lincolnshire (Mr. Chaplin) alluded to as "muddle-headed Professors" agreed with practical farmers in urging the necessity of severe restrictions to stamp out the disease? But what was the use of the Bill? The Secretary for the Colonies had suggested the amendment of the Bill by more stringent clauses in Committee; but if that was proposed, he anticipated a great change of opinion upon the Bill among Irish Members, and severe opposition. It was specially necessary to go into that question. Nearly every speaker had made allusion to the question of Irish imports, and he would leave the defence of that point to hon. Gentlemen who sat on the Committee of last year. In the Committee of 1873 the question of Irish imports had occupied a good deal of attention, and Ireland owed a deep debt of gratitude to the hon. Member for Carlow for the manner in which the conduct of that inquiry had been conducted. He went into the Committee expecting very serious charges to be made against the amount of Irish cattle disease; but he had been amazed at the weakness of the case. To say that Irish cattle imported disease because they suffered from it in this country was as ridiculous as it would be to say that a man who caught small-pox in London must have brought it from Ireland because he was an Irishman. No evidence was given before the Committee of last year to show that there was any great increase of foot-and-mouth disease among the cattle coming from Ireland. He had heard it said—"Why do you not vote for the second reading of the Bill?" The principle of the Bill was that they were to prevent importation from abroad. A deputation which waited upon the President of the Privy Council the other day said—"Do not give way on the question of foreign inport; if you do, we would rather you would withdraw the Bill." That showed what was regarded as the principle of the Bill by those who most thoroughly supported it. The question, therefore, was, whether they were going to sanction that principle or not? For his part, he was not prepared to do so. It was admitted that home restrictions were reduced to a minimum, so that restriction of import must be the main object of the Bill. It was now said by some who supported the Bill that considerable modifications might be made in the restrictions on imports; and if that were done, while the home restrictions were reduced to nothing, what would remain of the Bill? Why should the time of the House be occupied now in debating such a Bill? If the Government would say that would get rid of the foreign restrictions, the Bill might soon be disposed of, or superseded by a simple measure embodying the points upon all were practically agreed. He would vote against the second reading of the present measure.

MR. NEWDEGATE said, that perhaps the House would allow him to say a few words upon this Bill, seeing that it related to a matter, of which he had a very long experience, in connection with the Royal Veterinary College, an institution of which he had had the honour to propose the late Speaker of that House as a Governor, and from among the pupils of which almost every official in the Veterinary Department of the Government was taken. Athough he was not a Member of the Committee on Cattle Diseases of 1873, nor of the Committee of last Session, he had had the means of acquiring information with regard to these diseases, which no man could possess, unless he had been connected, as he (Mr. Newdegate) had been, with the government of the Veterinary College for 30 or 40 years. He had heard a great deal in the course of this debate in depreciation of the importance attached to foot-and-mouth disease, and he was prepared to support the evidence of Mr. Booth, when he said that much greater inconvenience and loss was inflicted by foot-and-mouth disease than by either rinderpest or pleuro-pneumonia. The House had decided long ago upon arming the Privy

Council with sufficient powers to stamp out the rinderpest, and this had now been twice done. The powers exercised by the Privy Council had also proved sufficient for restricting the mischief from pleuro-pneumonia within very narrow limits; but that in which all legislation, that in which the Executive, had failed, had been in effectually limiting the mischief inflicted by this foot-and-mouth disease. He admitted that the provision of this Bill, against which the Motion of the right hon. Gentleman the Member for Bradford was aimed, was a very stringent provision; but that provision had this merit—that it was founded upon sound principles of political economy. Unless prepared to support free trade in disease, the House was bound to exercise its functions for the limitation of this disease. He had heard several hon. Members—for example, the hon. Member for Glasgow (Mr. Anderson), the right hon. Gentleman the Member for the University of Edinburgh (Mr. Lyon Playfair), and the right hon. Gentleman the Member for Bradford—all say—"This is a proposal for the re-enactment of Protection." ["Hear, hear!"] "Hear, hear!" and so it was—protection against disease. And he would tell the Free Traders this—that if they wished to bring the doctrines they had so long professed into odium, they could do nothing more effectual than by proclaiming themselves the advocates of free trade in disease. He well remembered the *furor* of the Free Trade movement, which followed upon the railway mania. He withstood that *furor;* he foresaw the day when its advocates would so exaggerate its principles as to bring them into disrepute; and he held that those who desecrated the name of Free Trade by declaring themselves in favour of the importation of disease, were doing their utmost to render the doctrine of Free Trade odious. In the course of this debate he had heard some disrespectful expressions with regard to muddle-headed Professors, and those who were engaged in carrying out the restrictive powers which were already vested in the Privy Council—he alluded to the Inspectors. He had known those men for many years; and he now told the House that if it desired—as the hon. Member who had just spoken (Mr. O'Conor) desired, though he was opposed to the Bill—that any restrictions should be effectual against the dissemination of disease, they must not speak lightly of officers whose functions were so often necessarily invidious, as were those of the Veterinary Inspectors.

Mr. O'CONOR wished it to be understood that he had not spoken lightly or disrespectfully of those officers; on the contrary, he had spoken respectfully of them, and the expression referred to came from the Ministerial side of the House, and he had only quoted it.

Mr. NEWDEGATE was glad to hear that, notwithstanding the hon. Member had argued, to the best of his ability, against imposing any restriction upon the Irish cattle trade, with the view of preventing the importation of disease from Ireland into this country, he was, at all events, not prepared to discredit the officers, who were engaged in the laborious duty of inspection. One misfortune in Ireland was, that the staff of Inspectors was so inadequate that disease was current among the cattle. They had been assured by the hon. Member for Limerick (Mr. Synan) that the original Irish cow never suffered from disease; but it was, unfortunately, a fact, that when an original Irish cow came to England she imported disease; and, however unwilling Irish Members might be to accept any restrictions whatever upon the trade in cattle between Ireland and England, he would tell them that they must be prepared to submit to restrictions being imposed, with the object of mitigating the evils which English agriculturists had suffered from the importation of disease from Ireland. Here he would advert for a moment to the speech of the right hon. Gentleman the Member for the University of Edinburgh. It seemed to him as if the whole argument of the right hon. Gentleman assumed, that if foreign cattle were slaughtered at the port of landing, they were lost to the consumers of the country. The right hon. Gentleman the Member for Bradford (Mr. W. E. Forster) adopted the same line of argument; and then he suddenly quoted the success of Denmark in excluding these diseases, totally forgetting that the restrictive measures employed by the Government of Denmark were quite as severe as those which were originally contained in this Bill. It had amused him (Mr. Newdegate) very much to hear the right hon. Gentleman the Member for Bradford cite the fact that the Minister for the Netherlands had addressed a letter to the Government of this country deprecating the restrictions which the Bill imposed, though his Excellency must have been conscious that the restrictions adopted by his own Government of Holland were quite as severe as those in the Bill before the House. Then they had heard it said by the right hon. Gentleman the Member for the University of Edinburgh, that the foot-and-mouth disease must be held to have been naturalized in this country. Nay, it had even been propounded that it originated in this country. The right hon. Gentleman spoke of this disease as naturalized here; but he (Mr. Newdegate) believed that it was no more naturalized than the hippopotamus in the Zoological Gardens. He remembered the introduction of the disease in the year 1839, and not long afterwards Professor Sewell told him that he was convinced that the disease was imported in what were called "ship stores"—that was, cattle, sheep, or swine, brought over in vessels to the port of London as part of their provisions, although the importation of other cattle was strictly prohibited. The proof of this consisted in the fact that the disease first made its appearance in Stratford and Bow, close to the London Docks. Hon. Member after hon. Member had risen, and said that very little of this disease had been imported. Why, in 1875 there were not less than 20,228 diseased cattle imported into this country, and out of that 20,228, upwards of 19,000 were affected by foot-and-mouth disease. Surely, then, while such an importation of this disease was constantly going on, it was impossible for the country to free itself from it. Here was a record for the following year, 1876. In the month of January in that year, 926 animals affected with this disease were imported; in February, 1,419; and in March, 1,584; so he might go on from month to month. It appeared to him that hon. Members had been speaking without a knowledge of the facts. If, however, they would turn to the records provided by the Veterinary Department, they would find that from month to month the supply of this disease had been constantly maintained from abroad. Hon. Members said—"Why can't you leave a discretionary power with respect to the slaughter of animals at the port of landing in the hands of the Privy Council?" They would exempt Norway, Spain, and Portugal; and one Member—he thought it was the right hon. Member for the University of Edinburgh—went so far as to say that no disease was imported from either Spain or Portugal. But let the right hon. Gentleman turn to the records of the Veterinary Department, and he would find that at different periods pleuro-pneumonia and foot-and-mouth disease had been imported from both those countries. Then they had the hon. Member for Liverpool (Mr. Rathbone), and the hon. Member for Southampton (Mr. Giles), who declared that the cattle trade would be utterly destroyed unless this discretionary power was intrusted to the Privy Council; they desired that the trade should be rendered permanently uncertain. Now, if the House established regulations under which the cattle were to be slaughtered at the port of landing, there would be no uncertainty about the trade; whereas if they gave a discretionary power to the Privy Council, they would revive the uncertainty of the old sliding scale of duty upon corn; and over and over again he had heard it argued in that House, that the uncertainty under that scale rendered the extension of the corn trade impossible. So it was; yet after hon. Members, speaking on the part of the consumers, said they desired a constant and increasing supply of foreign cattle to meet the demand, in the very next breath they proposed that this trade should be subjected to an uncertainty which would infallibly prevent its extension. But, then, it was said—"Oh! you vile Protectionists are seeking to diminish the supply of food for the people;" and this was said in face of the fact that the home supply of food was reported to be diminishing from year to year, as was proved before the Committee by the evidence of Mr. Booth, which was supported by his (Mr. Newdegate's) own personal experience, and by the testimony of most competent witnesses, which he knew to be true, and according to which the prevalence of this disease had so discouraged breeding, that the farmers of his county—Warwickshire—were many of them abandoning breeding and becoming mere jobbing graziers, in consequence of the losses they had sustained—losses in which he had suffered with them—from the prevalence of a disease which some hon. Members appeared to think so insignificant. Why, in the year 1875, out of a herd of something under 100 animals, seven of his cows died, and he had to half-fatten and sell 12 more. There were at one time 150 animals in his park, and every one of them suffered from the disease; every one of them was thrown back for months and months in fitness for the market, and yet he was told that the disease was not worthy of the restrictions which were necessary for limiting its expansion and the mischief which it did. Our cattle suffered from the foot-and-mouth disease; and, if he might judge of the political economy of those who formed what he hoped was a minority in this question, they seemed to him to be politically suffering from a hand-to-mouth affection. They seemed to be incapable of sanctioning any measure with a view to the prospective deliverance of this country from those three great imported diseases, two of which, they had proved by their own practice, could be limited by restrictions and by stamping out; and then, when they came to the third disease, an outcry was raised against pursuing a course for its eradication which their own experience had proved to be successful in the case of the two other diseases. Was not that a short-sighted policy? The right hon. Gentleman the Member for Bradford was not prepared to approve of the proposal for slaughter at the ports, and in this he was supported by a Petition, a copy of which he (Mr. Newdegate) held in his hand. That Petition was from the "Liverpool Steam Shipowners' Association," and what did these petitioners allege? They alleged that they represented a very large tonnage, and then they complained particularly of this provision in the Bill—

> "That foreign animals are to be landed only at a part of a port, defined for that purpose by special Order of Council, to be called a 'Foreign Animals Wharf.'"

Thus they condemned the policy of this House in establishing the Cattle Wharf at Deptford. They further state that—

> "The cost of the carriage, even with the smallest possible margin of profit to the carrier, is necessarily so considerable that, when added to the first cost of the cattle in the country of exportation, the total expense barely permits of the trade being carried on in competition with the home supply."

Now, if the competition of the home producer ran the foreign shippers and importers so close, was it not a proof that, with sufficient safeguards against disease, the supply from the home producer would in time enable them to dispense with the foreign importations? Yet this was adduced as an argument against the Bill. Then the petitioners said that it was not possible for the Corporation of Liverpool to make provision for the separate reception of these foreign animals, and that it was ridiculous to expect the Corporation to make any such provision, so valuable was the land on the margin of the River Mersey; yet they declared that this trade in foreign cattle was a valuable one; and, surely, if that were so, it would be worth the while of the Corporation, or some other body, to provide a landing-place for those animals. There was something contradictory in almost every paragraph of the Petition; yet, he was sorry to say, that the hon. Member for Liverpool supported its prayer; and it struck him that, when the hon. Member clung to the doctrine of Free Trade, as sanctioning the importation of disease, his arguments were as fallacious as those of his constituents. Let the House consider for one moment. It had heard the farmers denounced, it had heard the landowners denounced, as monopolists, who were seeking to raise the price of food to the people. But let the House ask itself, who had the most direct interest in the price of the food of this country being raised by the prevalence of disease? Who but the importer? Let the House consider this. If a man went to purchase cattle for importation into this country, he had the markets of the world open to him; and a rise of price in this country would very slowly, if at all within any appreciable period, affect the price in the markets of the world to which this importer went to make his purchases. But if it should happen that the importer brought disease into this country with the cattle he sent here, and that this disease was disseminated uncontrolled, as was the foot-and-mouth disease in 1839 and 1840—when Professor Symonds said that he saw the hoofs dropping off from sheep and pigs as they were lifted into the shambles, while their hoofs were swept up into baskets—if the disease was thus propagated within the United Kingdom uncontrolled, prices here must rise, and even if the importer lost one-half of the value of his cargo, he made a profit on the rest, and a larger profit upon every cargo that might escape disease. He held, then, that the man who was directly interested in raising the price of meat to the people by disease was much rather the importer than the farmer or landowner, the producers of this country. Let it be remembered that, after all, the importer dealt with but 12 per cent of the supply, and that if disease prevailed here it affected 88 per cent of the supply; and, inasmuch as every farmer, who was also a breeder, must have at least five times the quantity of live stock that he could send to market, his loss by disease must be five times that of the importer. Do not let those who advocated the interest of the importers attempt to impose upon the House the belief that they must be held guiltless of mischievous enterprize in importing disease, and that they only were guilty of raising the price of meat who resisted the invasion of disease, and claimed protection for 88 per cent of the cattle consumed in this country, which 88 per cent represented five times the quantity that came from year to year into the market. He hoped that he had made this point clear, and that he had shown that the taunt directed against the supporters of the Bill by the representatives of the importers, that they sought to raise the price of food to the people, was utterly unjust. The truth was this—the losses were so severe, extending, as they did, to the whole stock of the country, that, speaking for a large agricultural community, and he believed also for the agriculturists of the country generally, he ventured to say that they would hail with delight any increase of production, aided by foreign importation, that would reduce the price of meat from what it was now to what it was 10 years ago, provided only that they could exempt from losses occasioned by these imported diseases. It had been said—"Oh! but the Professors and Inspectors speak with hesitation of the success of those restrictions." Well, they might speak with hesitation; and if any of them were under the Gallery, and had heard the speeches made that night against the Bill, their hesitation would be justified. It was hard to expect officers, charged with such invidious duties as theirs often were, to ask for further powers of restriction and interference. They had enough difficulty to cope with already; and if they had hesitated in their evidence, they were not the men from whom should be expected the advocacy of a severer code of regulations, which they might have to enforce, though it might be essential to the welfare of the country. This House and the Government had no right to attempt to shift their proper responsibility to the shoulders of these officers. He thanked the House sincerely for allowing him to give it the result of some personal experience and knowledge of the subject. With the hon. Member who spoke last, he thought that the House of Lords had done something to impair the original Bill in its proposed internal operation; but he believed that it would be wise to adopt the principle of insisting upon the slaughter of imported animals on their arrival, and that the restrictions imposed upon the home traffic ought to be correspondingly severe. He approved of the proposals of the Bill as a whole, and trusted that the nation were to get rid of, or limit the jurisdiction of, the Privy Council in this matter, which affected the food of the people. He could not imagine how the Representatives of large communities could be content to see the people dependent for the price of their food upon the discretion of the Privy Council. There was now some hope that in this important matter the country would be governed by law—rather than remain exposed to the uncertainty of discretionary power—by a law that would give certainty to trade, and thus allow it legitimately to increase. His own belief was that, through the modern facilities of communication—by means of steam vessels and the electric telegraph—the dead meat market would be greatly extended; for orders could be sent to the Continent and executed so rapidly, that the import of the meat might be conducted in such a manner as at once to meet the demand, and defy deterioration by prolonged keeping. It was important that we should ultimately come to a dead meat supply from abroad. It was his desire that we should, for it would be safest and most economical. But, as a practical man, he supported the Bill; because, until the dead meat trade was enlarged, the foreign cattle trade must be regulated. He believed that the operation of the Bill would tend to ensure certainty and safety in the trade.

SIR THOMAS ACLAND said, it was evident that although the hon. Member opposite (Mr. Newdegate) had twitted the Opposition with a hand-to-mouth policy, he had lost none of that power of the hand or mouth which had always distinguished him. While he (Sir Thomas Acland) yielded to no man in that House in sympathy with the farmer in his losses from diseases—for he had suffered such losses himself, and could say, from experience, that the losses were not exaggerated—he failed to connect the foot-and-mouth disease with foreign importation in any direct sense, or to see in this Bill anything like a serious endeavour to grapple with the true sources of that disease. The Government appeared to be guided in this matter rather by the excited feelings of their Friends than by their own calmer judgments. If the Government had given us a provincial authority, which could have welded both the town and the country districts into one powerful municipal system, we might have had a better guarantee for the conscientious administration of the law relating to cattle, and the extirpation of cattle disease would have been a less difficult task. The essential point to be secured was to prevent the intermixture of diseased with healthy cattle. This Bill permitted dairy stock, which was the most likely to propagate disease, to travel into every corner of the land, while they would kill the very class which would not extend the infection, if its transit to markets where it would be consumed were properly regulated. Therein lay the anomaly which was, in his opinion, detrimental to the Bill. The breeding of cattle was becoming every year more and more profitable, but winter feeding was less remunerative. In his opinion, we ought to be very careful of both our dairy stock and of our young animals, and leave the supply of meat in the winter to a considerable extent to the foreign producer. If we attempted to fetter the foreign producer, by confining him to a dead meat trade, we should seriously discourage the production of cattle for the English market in any form. He had expressed his views generally as to the defects of the Bill; but he could not agree with the right hon. Member for Bradford that it was desirable to meet it by an abstract Resolution, which he considered inopportune at the present moment. He trusted that the Bill would be read a second time, and amended in Committee.

MR. CLARE READ: Mr. Speaker—If the right hon. Gentleman the Member for Bradford (Mr. W. E. Forster) would only allow me to transfer one little word—the word "not"—from one line of his Resolution to another, I should be very happy indeed to support the Resolution. Such a transposition would make it read thus—

> "In the opinion of this House, the slaughter at the ports of landing of all fat cattle from the Continent would not restrict the supply or increase the cost of food, and should, therefore, be made compulsory under all circumstances by Act of Parliament."

Sir, I should most cordially support such a proposition, because I honestly believe it. In the late Parliament the right hon. Gentleman was omnipotent. If he introduced what we on this side considered to be a bad measure, he was enabled to carry it by the force of his majority; and if, on the contrary, he introduced a measure, which we on this side deemed to be just and reasonable, we assisted him to pass it, although against the wishes of many of his own Party. I know also that the right hon. Gentleman has very great influence in this Parliament, and I am sorry that he has lent that great personal influence towards throwing out this measure, because I am quite sure that if his Resolution is carried, it will be of no use to the country. It was very good of him to say that those who sit on this side of the House do not desire Protection for our own produce; but I think it was rather unkind of him to say that in the end Protection was what this measure would give to us. Sir, in my opinion, it will give protection—protection against disease. That is all we ask for, and that is what we mean to have if it be possible. I am very glad that in this debate we have not heard that remarkable doctrine, laid down as it has been on former occasions—namely, the doctrine which was enunciated by a very learned philosopher (the late John Stuart Mill), that cattle plague occasioned no loss to the agricultural interest, because it eventually fell on the consumer. If the British farmer supplied the whole of the country there might be some force in that observation; but it is no consolation to a ruined farmer to know that his more fortunate neighbours are getting 1*d.* per lb. more than he himself had realized. If there is one thing more than another that I think all these discussions and all the Committees which have considered this question have proved beyond a doubt, it is the foreign origin of these diseases. We seem to have only one opponent to this principle. I allude to the hon. Member for Birmingham (Mr. Muntz), whose idea in reference to cattle diseases seems to have been taken from the days of mythology and witchcraft. I was very much astonished to hear the hon. Member for Warwick (Mr. A. Peel) rake up this question again. He quoted the opinion of Professor Brown, that we had these diseases in the United Kingdom before we had the free importation of cattle from abroad. But why did not the hon. Gentleman go on to tell us what Professor Brown further said on this point. The Professor said that he had no doubt whatever that these cattle diseases were originally foreign diseases; and I quite agree with the right hon. Gentleman the Member for the University of Edinburgh (Mr. Lyon Playfair), that some of them have become localized amongst us; but I do not think that they have been sufficiently naturalized to prevent our getting rid of them, if we really make a determined effort. With regard to pleuro-pneumonia, I see an hon. Gentleman in this House who knows very well that in the year 1836 a large number of Dutch cows were imported into the county of Cork in order to improve the breed, and we now know for a certainty that pleuro-pneumonia in the first instance came from that locality. I do not know whether I understood the right hon. Gentleman the Member for the University of Edinburgh right, when he said that foot-and-mouth disease could not be communicated without actual contact. If he really meant to say that, I reply that it is contrary to the results of all the experiments that have hitherto been tried. There is one experiment that I should not mind trying with the right hon. Gentleman. I should like him to go to Brown's Wharf, where the Paris cattle have foot-and-mouth disease, and to take a handful of hay from the mouth of one of those animals, and give it to some other animal that had not the disease. I have not the slightest doubt it would be found that in 48 hours the disease could be produced in most of the animals that might be there in quarantine. I will now pass on to the speech of the right hon. Gentleman the Member for Edinburgh University. He told us that he was one of the Cattle Plague Commissioners of 1865, and that he had voted for the stringent measures which they recommended for the stamping out of cattle diseases. Well, we were not quite unanimous on our first Report, but we were perfectly unanimous on our second Report. That Report was signed by the whole 12 Commissioners, and if the House will allow me, I will just read one extract from that document. It is this, with regard to foreign cattle—

> "To restrict importations absolutely to certain ports, and to cause all fat cattle to be slaughtered at those ports, and all store stock to undergo a period of quarantine."

Well, Sir, that Report was signed by the right hon. Gentleman the Member for Edinburgh University. I claim his vote on the present occasion in support of this Bill, because there is no doubt that what I have just read constitutes the pith and substance of the measure now before the House. [MR. LYON PLAYFAIR: That was with reference to the cattle plague.] It was not restricted to cattle plague, and I cannot let the right hon. Gentleman off on that plea, because the Commissioners were dealing with the imports of cattle from abroad generally. We had dealt with the cattle plague in our first Report, and had recommended that great restrictions should be adopted with regard to that disease. That being done, we went on to consider the question of the general importation of cattle to this country; and I say, most advisedly, that the Commissioners recommended all fat cattle to be slaughtered at certain ports. You were not to include certain countries and omit others, but were to insist that all stock shall be slaughtered coming from all foreign ports. The right hon. Gentleman has told us how stringent were the regulations with regard to foreign cattle. But he might also have told us that the Commissioners—

> "Thought it useless to trust to any precautionary measures which any foreign Government might be induced to apply in the case of cattle leaving their own ports or frontiers; such precautions might be desirable, but no reliance was to be placed upon them."

I was astonished to find that the right hon. Gentleman intended to vote against the principle of the Bill, because it is that which is assailed by the Resolution of the right hon. Gentleman the Member for Bradford. We have had Committees on this question without end. There was a Committee in 1867, there was another in 1873, and another in 1877, as well as one on the Foreign Cattle Market Bill. There was also a Committee in the year 1874, a Committee presided over by Dr. Brewer, with regard to the slaughter-houses of this Metropolis. Thirty years previously a Bill had been passed by Sir Robert Peel, providing that all private slaughter-houses were to be abolished, and we were to have nothing but public slaughter-houses in the Metropolis. But the result has shown how powerful the butchers of the Metropolis are in this House. The Committee who considered this question said, in substance, in their Report, that the existing slaughter-houses were such pleasant, healthful places, that they really ought not to be abolished, and the consequence is that we still have them, and I suppose they will go on for ever. For my own part, I am strongly in favour of the proposal to establish public slaughter-houses, and I shall be glad to see them adopted, especially in this great Metropolis. In fact, I think it a disgrace to the age that in this, the first City in the world, we should still allow private slaughter-houses and town dairies to exist. There are certain recommendations of the Committee of 1873 which the right hon. Gentleman (Mr. W. E. Forster) said he should like to support, and which we embraced in the Bill. Let us take the case of pleuro-pneumonia. There were four recommendations of the Committee as to this subject. The first recommendation was, that all cattle affected with pleuro-pneumonia should be killed; the second was, that that regulation should be extended to Ireland; the third, that compensation should be raised to three-fourths of the loss of the animals slaughtered instead of being one-half the value; and the fourth, that the period of isolation should be extended from 28 to 56 days. Well, the right hon. Gentleman instantly issued an Order in Council, under which all cattle affected with pleuro-pneumonia in Great Britain were to be slaughtered; but that provision was not extended to Ireland until such time as a great stir was made about it in this House, and then a measure was passed which came into operation last year. Another Order in Council was also passed by this Government to increase the compensation; but there was nothing done with regard to extending the period of isolation to 56 days, because, I believe, that would require a special Act of Parliament. That suggestion is contained in this Bill. I have been asked by the hon. Gentleman the junior Member for Birmingham (Mr. Chamberlain), why it was that on a former occasion I tried to prohibit the importation of store cattle from Holland? This was one of the points which came before the Committee, and the facts were these — Pleuro-pneumonia was rife in Holland, so rife that they now had from 2,000 to 6,000 cases of that disease amongst a total of only 1,500,000 animals; and how, in the name of goodness, the Netherlands Minister could have written the letter in which he stated that that country was free from disease, I cannot understand. It seems he must have meant that the country was free from cattle plague. If so, that is a statement which no one disputes. But let us see what the right hon. Gentleman opposite did. He insisted on the English farmer's stock being killed when it was affected with pleuro-pneumonia, and yet he would not schedule Holland, where that disease was rife. And what would be the consequence? Why, that the disease, which is now admitted may have an incubative period of 56 days, was expected to be discovered by the Veterinary Inspectors in a quarantine of only 12 hours. I ask the House, was it fair to impose these penalties upon the British farmer, and to allow him to be invaded by cattle bringing this disease from Holland? Professor Simonds has said "that the present measures were satisfactory and it is better to leave well alone;" but I consider that the present measures are not satisfactory, except to some Government officials. I should like now to say one word in my own defence with regard to the extension of these pleuro-pneumonia rules to Ireland. It was at first said that that could not be done, and that we heard that there was no pleuro-pneumonia in Ireland. I made a bold statement; I said that I was positive of this fact, that if you were to apply these rules to Ireland—if you were to slaughter the cattle and give a liberal compensation—in the following year it would be shown that there were as many outbreaks of pleuro-pneumonia recorded in the City of Dublin alone as had been reported from the whole of Ireland in the former year. Well, Sir, what happened? In the year 1876 there were in Dublin 63 cases, and in the rest of Ireland 361, making a total of 424. Now, in the following year, 1877, there were in Dublin alone 460 cases—which shows what a good prophet I was—and 1,659 in the rest of Ireland, making a total of 2,119; and this is the country from which we are sure to have no pleuro-pneumonia! Will the House allow me for one moment to give it the results of the experiments we made in the county of Norfolk with regard to the extirpation of pleuro-pneumonia? Before the slaughter rule was issued—that is to say, in August, 1873, we had in that year no less than 1,722 cases of pleuro-pneumonia in our county. Now, let me read to you what has happened since. In the year 1874 there were 960 cases; in 1875, 692 cases; in 1876, 580 cases; in 1877, 449 cases; and in 1878—since they have had the slaughter rule in force in Ireland—there were only 304 cases. You may say that this is not a very remarkable diminution; but still I think that a steady diminution from 1722 to 304 is a very satisfactory result. I contend that it is necessary that we should give a good compensation in order to obtain early information of the existence of this disease; and, in my opinion, three-fourths of the value, or rather of the loss sustained by the slaughter of infected animals, is not too much, especially when you propose to inflict a period of 56 days' prohibition against the movement of all cattle from the farm in which the slaughter rule has been applied. I say that the adoption of such a course in respect of compensation and prohibition of movement gives us a reasonable hope that if the regulations were general throughout the country, we might, in the course of a few years, get rid of this dire disorder, provided we do not continue to re-import it from abroad. I have been asked by several hon. Members why it is I have expressed an opinion that there should be no exemption from the Schedule in the case of any European country? and I think that there have been a good many reasons given; but I have one of my own, and it is this—that England is the focus towards which all the fat cattle of the Continent radiate. We have known from the earliest times that the movement of these cattle diseases is from East to West, and when the hon. Member for Birmingham says—" Why don't you apply the same rule to America?" my answer is that I am not aware that they have any contagious European diseases now in America. They certainly have no cases of foot-and-mouth disease, and I say that the traffic from that country is a totally different thing from the traffic from the Continent of Europe; that whereas there might be extreme danger in exempting one European country from the operation of the Schedule, there may not be so much danger in allowing American cattle to come in; for though I must confess I should not be surprised that where you have a sea voyage of 3,000 miles, and a previous land journey of frequently 1,200 miles, certain diseases might be engendered which one of these days we may have to encounter; but, at the present moment, the fears that may be entertained on that score have happily not been realized, and I hope they never will. Now, Sir, I will illustrate my meaning by what you will think is no very complimentary allusion to my own county. Norfolk, with regard to store stock, is, in my opinion, in exactly the same position that England occupies with regard to fat stock imported from the Continent. As England is the end of the fat cattle traffic from Europe, if we do not take great care, we shall get every European disease which is common to different European countries settled here; while, on the other hand, as Norfolk is the end of the store cattle traffic, we always have in that county every disease that is common to the rest of the country. It is a well-known fact that the cattle of Ireland, taken as a whole, are singularly healthy, and it is also a well-known fact that when they arrive in Norfolk they develop certain diseases which they have caught in transit. And we find this—that however well you regulate the Irish cattle trade, however carefully you inspect them before they are embarked, when they arrive in this country, and when they are taken inland, you cannot always protect them from disease in passing through our own districts. Therefore, is it at all likely that we shall have any chance of protecting those animals that come from abroad from the different sources of infection? If you are to have one or two countries taken out of the Schedule, you will be bound to have separate ports or wharves, and you ought to have separate markets to take them to; because, if they by chance come in contact with other stock, there is the risk of contracting disease. In our own country we know something about the condition of our own cattle; but our knowledge of foreign stock is certainly very limited, and we have no authority over them until they land here. All we know is, that after a long journey and dangerous voyage they must be regarded with much suspicion. As long ago as 1864, there was a Report presented to this House on the Cattle Importation Bill, which was introduced by Lord Aberdare when he held the Office of Home Secretary. The Bill was considered unnecessary, for this reason—

> "Because power then existed under the law to prevent the removal of diseased cattle from one part of the United Kingdom to another—a power which could not be exercised with respect to cattle imported from foreign countries into the United Kingdom."

That was a good and sufficient reason why we should not treat our stock as we do those imported animals. Now, Sir, it may be asked why there is not a better market at Deptford, and what is it that the importers chiefly complain of? Why, Sir, it is the uncertainty of the market. If there were a regular supply, there would be a regular demand; but there is no rail, and no real market at Deptford. When the animals are sent there, nobody knows when they arrive; and when the foreign importer sends stock into the different ports of the United Kingdom, he stands a good chance of having them killed at those ports; which, no doubt, is, when it happens, a serious loss to him. For instance, it is a hindrance and trouble if a man lands all his stock at Brown's Wharf, or at Thames Haven, and then re-ships them to Deptford; but I believe that if he imports them to Southampton or to Liverpool, and they have to be slaughtered there in consequence of the outbreak of disease, there is a considerable loss, there being no dead meat market there, and so they come up to London. But if they have to be slaughtered in a place like Newcastle, where I understand the local authorities have recently spent a large sum of money in providing most excellent wharves and lairs for the accommodation of foreign stock, I do not think any loss will accrue. The right hon. Gentleman has said that the stock from these foreign markets have to be killed at once; but no such thing happens. If you go to Deptford, you see cattle kept there for a week. They may live there for 10 days, if there is a desire to keep them for that time. There are capital sheds and lairs, and they seem to flourish as well there as at any other place I know of. I was talking the other day to a very large importer of cattle, who said to me—"If you allow one foreign European country to be excluded from the Schedule, you will immediately put the whole of us in a fever, and place us all in the same disadvantageous position; tar us all with the same stick, and put us all in one market; we shall very soon settle down, and we shall take very little harm. If, however, on the contrary, you allow two or three European countries to have certain privileges in cases where they are supposed to be free from disease, the rest will not like it, but will be dissatisfied." Now, Sir, that, I believe, would hurt nobody, except it might be the contractors who supply the Government. The Government, for some reason or other, insist on having live cattle, and the consequence is, that when the Dutch imports are not allowed to be brought inland alive, they go to the Spanish stock for their supply. The House hardly need to be assured that the Inspectors of the Government are such able judges of meat, that they know the carcase of a bull or an old cow is not good steer meat. For my part, I do not see any necessity for this butchering by the soldiers of the whole contracts for the British Army, and I think that the contractors might be allowed to supply some dead meat. I was astonished at what the right hon. Gentleman opposite said as to the imports from Spain. In July and August, he told us, when the Gulf Stream made it difficult to bring live cattle from America, Spanish cattle arrived to supply the deficiency. I always thought that the Spanish cattle were stall-fed, and that they came in the winter and early spring, when our grass-fed cattle are not available. Perhaps the House is not aware that all the imports from Portugal are confined to two firms, one of them at Liverpool, and I think the hon. Member for Liverpool (Mr. Rathbone) referred the other night to a Petition from that firm, who are steamship owners engaged in the trade; but it would appear, from what he added, that the Petition was signed when the Bill was brought into the House of Lords. There is no doubt that foot-and-mouth disease exists in the Peninsula, otherwise it would not answer the purpose of the importers to keep a Veterinary Surgeon there, at a salary of £400 a-year, in order to detect the disease. It is admitted to be well that these precautions should be taken; but if there be no disease there, as has been stated, why, I repeat, is an Inspector kept there at a salary of £400 a-year, for doing nothing? We have now and then cargoes from the Peninsula direct to Deptford Market. Why is that? Because it is known that they are subject to foot-and-mouth disease, and the worst cases we have had at all have been from Spain and Portugal. [Mr. LYON PLAYFAIR: In what year?] I think it was in the year 1874. With regard to France, the right hon. Gentleman opposite laid great stress on the cessation of imports from that country. Since the War, France has herself imported large quantities of cattle from Holland and Germany, which shows that her surplus stock was destroyed by the War and its ravages; and the fact is, that beef is dearer in Paris at the present time than it is in London. This being the case, it is easy to see why France cannot send us any stock, and she is very likely to go and compete with us in Holland and Germany; and, besides this, when the stock goes to the Paris market, they are not allowed to be killed at private slaughter-houses, but in the public market. When I hear anyone contending that cattle imported here go to certain slaughter markets on their arrival, and that this prevents their being sent, I say you may just as well argue that when a dealer sends his stock to any city which has public slaughter-houses to which he is obliged to go, that consequently he will not patronize that market. It is perfectly ridiculous to assume that because people have to go to one slaughter-house or another, in the one case they will come in numbers, and in the other they will not come at all. The right hon. Gentleman has made a great point about the importations from Holland, and drew attention to their decrease last year; but I have the figures showing the increase for the past eight weeks. From these it appears that the increase in the imports during that period, as compared with the corresponding period of the year 1877, was 16,369. I want to point out to the right hon. Gentleman this fact—that there was a general falling-off of the imports last year, not only from the scheduled, but also from the unscheduled countries; and even from the right hon. Gentleman's favourite country, Denmark, there was a diminution of the supply. Now, I will ask the House to consider why this was. One of the chief reasons was, that during the summer and autumn of last year the price of meat fell considerably, although I dare say that many hon. Gentlemen had not the remotest idea of the fact when they paid their butchers' bills. I have the wholesale prices; and although I am told that, as a rule, the butchers did not reduce their prices in 1877, it is notorious that the wholesale prices were lower. In the past month, the wholesale prices have gone down 1*d.* in the lb.; but I do not think that is generally the case in regard to the retail price. It seems to me that the retail price of meat has about as much to do with the wholesale price as the price of beer has to do with the cost of malt and hops, or as the price of the 4lb. loaf has to depend on the price of wheat. We heard the other day that although wheat was only 50*s.* a-quarter, the bakers at the West End of London were charging no less than 9*d.* for the 4lb. loaf, when everybody knows that it ought to be about 6*d.* With regard to the decreased importations, which the right hon. Gentleman has attributed to the restrictions, just look at the figures with reference to pigs. The pig is undoubtedly a useful animal; but I suppose it is too small for the right hon. Gentleman to pay much attention to it; and, consequently, he has confined his observations to the importation of cattle. I have here some figures showing the importation of pigs from 1874 to 1877, and I find that, whereas in 1874 there were 115,000 of these animals imported, in 1875 the number was only 73,000; in 1876 it was reduced to 40,000; and in 1877 it fell to 20,000. Well, what was the reason of that? The fact is, that the importation is regulated by the price, and last year pork was lower than it had been for 10 years. Our stock had greatly increased. As a rule, pigs are healthy animals; they can be cheaply fed, they breed quickly, and, as I have said, their price has been greatly reduced. Now, Sir, I am sorry to have detained the House so long; but I should like to say a word upon another subject to which reference has been made. I understood the right hon. Gentleman opposite to say "that the dead meat trade was not established; but there is no doubt that that trade is being very rapidly developed." The right hon. Gentleman must be aware that there are lots of houses in the West End of London which are being supplied with provisions entirely from places as far off as Devonshire. Tiverton, which is 180 miles from London, supplies several Londoners with meat, poultry, butter, and Devonshire cream, and one firm supplies some 50 or 60 London houses; but, beyond that, we have known of such things as taking a lot of meat all the way to Australia, and bringing it back again, the passengers being fed on this meat during the whole of the two voyages, and fish even has been treated in the same way. Then we have this most remarkable instance of the importation of meat from South America. It was a case in which, the machinery of the vessel having broken down, the ship was detained in the Tropics for three months, and when its cargo of meat was landed in France, it was found to be in an excellent state of preservation. I would remind my right hon. Friend that in 1876 the value of dead meat imported was £2,923,000; in 1877 the importation had risen to £4,117,000. In five months of 1876 we imported 1,897,000 cwts. of meat, while in 1877 the import reached 2,186,000 cwts., and in 1878, 2,937,000 cwts. Well, Sir, although the quantity imported into London is about stationary, in Liverpool it has risen in an enormous degree. In 1876 the imports were valued at £1,037,000; in 1877 they had increased to £1,761,000. In Glasgow, the importations in 1876 were £409,000, and in 1877 they had risen to £757,000. With regard to fresh beef, the importations in Liverpool were 102,000 cwts. in 1876, and 320,000 cwts. in 1877. In Glasgow, 35,000 cwts. in 1876, and 103,000 cwts. in 1877; and yet the right hon. Gentleman has stated that the American meat trade has not increased or prospered. I trust he will allow me to read him a statement I have here of the quantity of American meat sold in the London markets during the first five months of each of the last three years. In 1876 the quantity was 1,260 tons; in 1877, 6,960 tons; and in 1878, 10,864 tons. And the grand total of all goods so sent to London is 198,000 tons, or equal to 800,000 cattle. Well, Sir, I went this morning at 6 o'clock into the Smithfield Market, in order to have a look at the supply of American beef; and I must say that, considering the extreme heat of yesterday, I was surprised to see the good condition in which that meat was. Considering the way in which that meat is handled, its condition was something marvellous. It is taken out in excellent order from the holds of the ships at Liverpool, and is then put on barges, or into carts, whence it is conveyed to the railway station, and there it is laid in common trucks, just as we see sides of bacon trucked. Arrived at London, it is transferred to carts, and brought to Smithfield Market, where, under a glass roof, the temperature cannot be very low in such weather as this. But I was particularly struck with this fact—that although many portions of the meat were damp and flabby, they were, at the same time, exceedingly cool, and fairly sweet. I also was struck with the number of carts that had come there from the West End, and the number of West End butchers who were buying ribs after ribs of American beef, which, by the time it gets to the West End, is doubtless transferred to the category of best Aberdeenshire meat. And there is this singular fact to be considered—

namely, that while it is bought at 7*d.* or 8*d.* a-lb. at Smithfield, if you ask the price at the West End shop, you will find that such meat is not sold there at less than 1*s.* a-lb. I have spoken of the way in which it is handled; it is shoved into a cart anyhow—mutton and beef, and veal and lamb, all packed one on the top of the other, and then, as if this were not bad enough, some great fat fellow sits on the top of it all and drives away—and I should think it is not very much improved by the weight and heat of his body. Well, Sir, my right hon. Friend said that when this meat comes into the market, it must be consumed within a very limited time; but that observation does not apply to American meat alone. It applies to all dead meat, although I cannot see why it should apply to dead meat at all. It seems to me that the science of butchery is about just what it was in the days of the Patriarchs, and that we have not got beyond what is recorded of Abraham, who ran to the fold, and fetched a calf tender and good, so butchers make you believe that the only way to supply meat is to have a whole lot of animals in their slaughter-pens, instead of resorting to improved arrangement for cold storage, and so forth. With regard to cold storage, are not hon. Members aware that there is in this City an immense Store for the reception of dead meat? It is under the Cannon Street Station, and in the cool arches which are there devoted to storage, and which measure 500,000 cubic feet, there is room for 12,500 tons of meat. I might add, any butcher may go there and deposit a quarter of beef at a cost of 1*s.* 3*d.*, a whole bullock for 5*s.*, the carcase of a sheep or pig for 6*d.*, and of a calf for 1*s.* 6*d.*, and this is inclusive of the cost of retention, rent, storage, and insurance for one month, if the butcher thinks proper to keep it there for that period. I would challenge any hon. Member who does not believe in this dead meat trade to go and examine these Cannon Street Stores. It must follow, as a matter of course, that if we are to have large importations of dead meat, there must be a place, or places, of this kind in which it can be stored; and, although the right hon. Gentleman may be right in saying at the present moment that the trade has not developed itself to any enormous extent, I cannot see any reason why it should not be very considerably developed in a comparatively short time. In quoting the evidence given before a Committee of this House, the right hon Gentleman spoke of the information given by butchers and salesmen, who attended in great force before that Committee. Well, Sir, I should like to refer to the case of the removal of Smithfield Market, which some hon. Gentleman may remember. In the year 1828, a Committee of this House reported that the site of the old Stock Market was very objectionable. There were Committees without end upon the subject, and some of the opinions given about the removal of that market are deserving of comparison with what the butchers have said about Deptford Market. One man who was examined, said—

> "I do not know six butchers out of 3,000 or 4,000 who would be satisfied with the removal of Smithfield Market to Islington."

Another said—

> "Its removal would be, I think, a great injury to the community, and also to the trade."

Another man said—

> "It would subject the trade to great inconvenience without achieving any public advantage."

Another witness said—

> "The removal would greatly affect the consumers, increase the price, and the separation of the dead from the live market would be a great sacrifice of time and trouble."

This is exactly what has been said about the Deptford Market. But there is one gentleman who, I think, capped the whole, by saying—

> "If Smithfield Market is altered it would be the means of demoralizing the future generation of butchers more than anything that ever existed."

Another great authority who has been quoted in this debate is Professor Simonds. He has been put forward as a high veterinary authority. I have very great respect and esteem for my friend Professor Simonds. He is a countryman of mine, and therefore I ought to speak well of him; but, at the same time, I must say that I do not know any man who has changed his opinion more than Professor Simonds. He still sticks, I believe, to the obsolete idea of innoculating sheep for the sheep-pox. Twenty years ago that idea was entertained, and the disease lingered among us for two or three years; whereas, if the diseased sheep had been slaughtered, and due restrictions imposed, we might have got rid of the disease without much trouble. I will refer to what Professor Simonds said to a Committee, of which my hon. and gallant Friend the Member for West Sussex (Sir Walter B. Barttelot), whom I am sorry not to see in his place, was a Member. I ought, perhaps, to preface the extract by saying that Professor Simonds had beforehand been sent out at the request of the Royal Agricultural Society to make investigations respecting the cattle plague in 1863. In the following year, when before the Committee, this is what he said of the cattle plague—

> "Other nations take the precautions and prevent the necessity of our applying them."

He also says—

> "It is just possible, if a European war should break out, that we might have the rinderpest in the following year;"

but without war it did not come in 1865. He goes on further to say—

> "It is scarcely possible, with the regulations that exist on the Continent, for the disease to follow in the wake of an Army;"

and yet, whenever there has been an Army concentrated in the East and moving towards the West, cattle plague has invariably followed. With regard to pleuro-pneumonia, he says—

> "It does not originate without communication or infection from other diseased animals."

Then he says—

> "Pleuro-pneumonia spreads at times from atmospheric influences—seeds of the disease floating in the atmosphere;"

whereas it is proved, beyond a doubt, that it is only by direct and immediate contact with a diseased bullock that this fell disease can be communicated. Then, he says, with regard to foot-and-mouth disease—

> "It is not highly infectious; stock do not take the disease from following diseased cattle on the road, unless exposed to certain privations;"

but I, myself, have had the most carefully-tended cattle take this disease from following diseased stock on the roads. He also says—

> "That the disease is not imported from abroad, and no animal should be stopped in importation with foot-and-mouth disease,"

and he has

> "no objection to animals so diseased going to the Metropolitan markets from the wharves."

Well, Sir, these are the opinions of a high veterinary authority and late Chief Inspector of the Privy Council. Some of these opinions are entirely shared by Professor Ferguson, of Dublin; for he told the Irish farmers, some time ago, that if they had cattle infected with foot-and-mouth disease, they should keep them at home, and send all the rest to market, which, of course, means that the seeds of the disease are to be brought over to England. Then we come to Professor Brown, who is much too clever a man to contradict himself. Professor Brown is quoted because he is a veterinary officer of the Privy Council. I do not think that anyone connected with that Department is very much improved by the fact of that connection, and especially when he is a veterinary surgeon; because, although, no doubt, he has distinct ideas on these matters, he appears to me to inherit all the halting, temporizing, half-hearted policy that generally influences the Privy Council Office. Besides this, these officials are never out of reach of the pressure exercised by the cattle dealers and importers, who are always going to the Office whenever they think their interests are endangered; and, generally speaking, they get rather more attention paid to their wants than we agriculturists think they ought to receive. For my part, I much prefer the erratic genius of Professor Gamgee, the sound veterinary science of Mr. Fleming, and the scientific views which have been enunciated by Professor Baldwin. I will not go into the question that has been raised as to the proportion which foreign importation bears to our home stock, except to say how greatly astonished I was at the statement put forward by the hon. Member for Warwick (Mr. A. Peel), a statement which was so misleading and utterly wrong. Why, Sir, he stated, if I understood him aright, that the importation amounted to 27 per cent of the total supply of the country. Allow me to show how fallacious this is. In the first place, I do not know how the calculation was arrived at that there was only 1,000,000 of home stock that could be slaughtered in this country. He makes no difference between the weight of foreign and English cattle, and does not take into calculation at all the cattle from Wales, Ireland, and Scotland.

MR. ARTHUR PEEL said, he had compared the total number of the imported cattle with the number of cattle produced in England alone and fit for the butcher within the year.

MR. CLARE READ: I do not yet understand how the hon. Gentleman arrived at the conclusion that there are only 1,000,000 home cattle ready for slaughter. If he would tell me that, I might be able to work out the problem; but what he does is to take the total number of cattle in England, omitting the contribution from Scotland, Wales, and Ireland, as well as the beef consumed in those countries, and he then comes forward and tells us that the foreign supply is 27 per cent of the whole. That is a most astonishing statement, and one which I think is hardly worthy of the great authority of the hon. Gentleman. Now, I myself made a calculation some time ago, and I tried it again the other day. The result was, that I made the percentage of foreign cattle to be not 27, but 8, as compared with the home supply; of sheep, 6 per cent, and of pigs, 1½ per cent. As to the supply of dead meat, we do not want to interfere with that at all, we rather wish to encourage it. I do not for a moment, as a producer, fear the importation of live cattle from any part of Europe; for I mean to say this—that when you look to the West of Europe, and see how small the number of cattle coming thence is as compared with the consumptive power of her people; if, for instance, France and Germany would forget their jealousies, and allow a long period of peace to spring up on the Continent, I am quite sure that they, as well as industrious Belgium, will want all the cattle they can grow. But, Sir, I am afraid, as a producer, of the prairies of America. Those prairies are unlimited, or almost unlimited, and the stock of cattle they produce is immense. Only this very morning I have seen some cattle landed from there that are of the most admirable quality, quite equal to the very best cattle we can grow in this Kingdom. The only consolation I have is the question of the expense incurred in bringing them over. I believe it is something like £10 per head by the time they arrive in England, and there is, in addition, the loss of weight in their 4,000 miles journey. But the dead meat trade, when it is thoroughly developed, will be a still more serious matter to the British farmer. We are ready to meet it; but, at the same time, I believe it will be a most formidable competition. When we get rid of the prejudices of trade, we shall, I believe, have meat from America in very large quantities—dead rather than alive—and I believe we shall also take supplies from Vienna and Hungary in the shape of dead meat; because I am told that the sheep which are sent alive cost, with their freight, loss of weight and railway journey, something like 18*s.* before they can be sold in our markets, whereas they can be delivered here dead for something like from 4*s.* to 6*s.* It is something for the House to know that, at least, one-half of the German sheep that go to Deptford are sent dead into the Provinces, although there is no cooling apparatus, no rail, and no advantages that might be applied to dead meat in sending it to such places as Manchester, and the large manufacturing towns. When the right hon. Gentleman told us that the supply of dead mutton in this year had very much decreased, I think it would be satisfactory to know that, during five months of 1877, the imports were 19,039 cwts., and in the same period of 1878, they had reached 70,901 cwts. We have been told that we are going to resort to untried restrictions for the suppression of these diseases. Sir, I say they are not untried. They are known in America, and they are known in New Zealand and Australia. We have, in times past, imported foot-and-mouth into those countries, and they have got rid of it. We have had in this country a most curious example of the success of such restrictions. Whoever thought, when we put the Cattle Plague regulations in force in 1865 and 1867—whoever could have imagined, except those very clever veterinary Professors of whom I have spoken, that we should have got rid of pleuro-pneumonia and foot-and-mouth disease as well? We did get rid of the foot-and-mouth disease, for we had not a single case in the county of Norfolk for 18 months, while pleuro-pneumonia was very much diminished. I may say, that until the foreign sheep were turned out of the Metropolitan Market, and took the foot-tained, and the disease lingered among us for two or three years; whereas, if the diseased sheep had been slaughtered, and due restrictions imposed, we might have got rid of the disease without much trouble. I will refer to what Professor Simonds said to a Committee, of which my hon. and gallant Friend the Member for West Sussex (Sir Walter B. Barttelot), whom I am sorry not to see in his place, was a Member. I ought, perhaps, to preface the extract by saying that Professor Simonds had beforehand been sent out at the request of the Royal Agricultural Society to make investigations respecting the cattle plague in 1863. In the following year, when before the Committee, this is what he said of the cattle plague—

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MR. ARTHUR PEEL said, he had compared the total number of the imported cattle with the number of cattle produced in England alone and fit for the butcher within the year.

MR. CLARE READ: I do not yet understand how the hon. Gentleman arrived at the conclusion that there are only 1,000,000 home cattle ready for slaughter. If he would tell me that, I might be able to work out the problem; but what he does is to take the total number of cattle in England, omitting the contribution from Scotland, Wales, and Ireland, as well as the beef consumed in those countries, and he then comes forward and tells us that the foreign supply is 27 per cent of the whole. That is a most astonishing statement, and one which I think is hardly worthy of the great authority of the hon. Gentleman. Now, I myself made a calculation some time ago, and I tried it again the other day. The result was, that I made the percentage of foreign cattle to be not 27, but 8, as compared with the home supply; of sheep, 6 per cent, and of pigs, 1½ per cent. As to the supply of dead meat, we do not want to interfere with that at all, we rather wish to encourage it. I do not for a moment, as a producer, fear the importation of live cattle from any part of Europe; for I mean to say this—that when you look to the West of Europe, and see how small the number of cattle coming thence is as compared with the consumptive power of her people; if, for instance, France and Germany would forget their jealousies, and allow a long period of peace to spring up on the Continent, I am quite sure that they, as well as industrious Belgium, will want all the cattle they can grow. But, Sir, I am afraid, as a producer, of the prairies of America. Those prairies are unlimited, or almost unlimited, and the stock of cattle they produce is immense. Only this very morning I have seen some cattle landed from there that are of the most admirable quality, quite equal to the very best cattle we can grow in this Kingdom. The only consolation I have is the question of the expense incurred in bringing them over. I believe it is something like £10 per head by the time they arrive in England, and there is, in addition, the loss of weight in their 4,000 miles journey. But the dead meat trade, when it is thoroughly developed, will be a still more serious matter to the British farmer. We are ready to meet it; but, at the same time, I believe it will be a most formidable competition. When we get rid of the prejudices of trade, we shall, I believe, have meat from America in very large quantities—dead rather than alive—and I believe we shall also take supplies from Vienna and Hungary in the shape of dead meat; because I am told that the sheep which are sent alive cost, with their freight, loss of weight and railway journey, something like 18*s.* before they can be sold in our markets, whereas they can be delivered here dead for something like from 4*s.* to 6*s.* It is something for the House to know that, at least, one-half of the German sheep that go to Deptford are sent dead into the Provinces, although there is no cooling apparatus, no rail, and no advantages that might be applied to dead meat in sending it to such places as Manchester, and the large manufacturing towns. When the right hon. Gentleman told us that the supply of dead mutton in this year had very much decreased, I think it would be satisfactory to know that, during five months of 1877, the imports were 19,039 cwts., and in the same period of 1878, they had reached 70,901 cwts. We have been told that we are going to resort to untried restrictions for the suppression of these diseases. Sir, I say they are not untried. They are known in America, and they are known in New Zealand and Australia. We have, in times past, imported foot-and-mouth into those countries, and they have got rid of it. We have had in this country a most curious example of the success of such restrictions. Whoever thought, when we put the Cattle Plague regulations in force in 1865 and 1867—whoever could have imagined, except those very clever veterinary Professors of whom I have spoken, that we should have got rid of pleuro-pneumonia and foot-and-mouth disease as well? We did get rid of the foot-and-mouth disease, for we had not a single case in the county of Norfolk for 18 months, while pleuro-pneumonia was very much diminished. I may say, that until the foreign sheep were turned out of the Metropolitan Market, and took the foot-

and-mouth disease to Aylesbury, from whence it was spread over the Kingdom, we were for a considerable time free from the ravages of that disease. The same thing happened when we applied restrictions in 1872 and in 1877. Some hon. Gentlemen said—"Oh, the farmers won't tolerate these restrictions." Why, Sir, we put the pleuro-pneumonia rules in force for foot-and-mouth disease in Norfolk for 18 months, and we are now entirely free from disease. We have had during that time some 12 or 13 fresh cases imported into the county from newly-bought stock; but we applied the pleuro-pneumonia rules, isolated the farms, and kept them isolated for 28 days, and the disease has been kept from spreading. Well, Sir, in my opinion, the farmers, if assured that there would be no fresh importations of disease, would submit to these stringent regulations. Of course, they will not consent to them without grumbling — that is the province of the farmer, and it is his privilege. There are, however, some people with whom we shall, no doubt, have a great deal of trouble—I allude to the butchers, and dealers, and jobbers, who, of course, will render the application of these rules extremely difficult. Just one word more, and I have done, and I thank the House most heartily for the patience with which it has listened to me. This is a question in which I take the greatest interest, and I hope I have put my views fairly before the House. I think that the Government have been hardly treated in this matter. There are many hon. Gentlemen on this side of the House who have thought during the last 18 months the Government have not acted vigorously enough, and now they are taunted on the other side of the House with having pushed forward this measure in order to protect the interests of the farmers. We considered that last year the Privy Council ought to have taken immediate steps for stamping out the Cattle Plague. Somehow, hon. Members think that they have been too timid, and that they ought to have taken action more promptly under the powers they possessed. It is asked, why did they require so much pressure from Chambers of Agriculture, deputations of the Royal Agricultural Society, and meetings without end all over the country, before they would supersede the local authorities with a view of stamping out the disease? There is no doubt they were timid, and it was not until such times as the Royal Agricultural Society pestered them, and my hon. Friend the Member for South Leicestershire (Mr. Pell) and I went to the Privy Council and said to the Lord President—"If you do not make immediate efforts to stamp out this disease we will move a Resolution in the House"—it was not until then the Privy Council exercised the powers they had under the Act of Parliament; and as soon as they did this the plague was stayed. ["Hear, hear!"] An hon. Member says "Hear, hear!" but what has been done in the meantime? They took three months to do what they ought to have done at once. They had an almost despotic power, and they were afraid of exercising it. I say that they did not want an Inquiry; what was wanted was some action, short, sharp, and decisive. The Government were again tempted to think that they could not do anything until they had an Inquiry, and they appointed a Committee, which was mainly composed of Town Members. ["No, no!"] I beg leave to say that the great majority of that Committee consisted of Town Members. There was not a County Member from Ireland upon it, and only 1 from Scotland. The House, however, insisted on having 3 Members from Ireland and 1 from Scotland put upon that Committee, and even then its composition gave a majority of 1 in favour of the towns, and a majority of 3 in favour of the Liberal side of the House. That Committee presented a Report, which an hon. Member had said was the worst Report ever made. I, on the contrary, think it was the best; and I say that without fear of contradiction, although I ventured to differ from the hon. Member opposite. You must remember that the main part of that Report—the chief clause it contained—was carried by 18 to 3, a large portion of the 18—namely, 10, representing borough constituencies. The Government were bound to adopt the Report of that Committee, and they did so. They then introduced a Bill into the House of Lords. When in that House, it was considered that the Irish part of the question had not been properly dealt with, while the American trade had further developed.

The result was, that it was a good deal altered before it was brought into this House. Now, I, for one, like the Bill very much; but I like the original Bill still better, and the Report of the Committee best. Well, Sir, the Bill is opposed by the front Opposition Bench in a mass. I believe there is an Election cry wanted by the Opposition. We are told that we are going to have a General Election very soon, although, as far as I am concerned, I hope not. Well, the party opposite will say to us—"You are going to starve the people," and I must say that that is a better cry than "Peace at any price," or "Disestablishment," or "County Franchise." But what I contend is this—that you have had famine prices for meat, and you have had the farmers beggared into the bargain. That is my contention, and I say further, if you pass this Bill I believe you will eradicate disease. The right hon. Gentleman opposite has made a prophecy. Now, I will make a prophecy too, and my prophecy is, that in the course of the next 10 years, if we should eradicate disease, however much this country may prosper, and our trade and commerce and our mining and manufacturing works may progress, if we have peace, the price of meat will be considerably less than it has been in the past 10 years. I believe that most thoroughly. These are my true and honest convictions, and, Sir, what I have said is quite as much in the interest of the consumers as of the producers; and therefore I give my most hearty support to the second reading of the Bill.

MR. J. W. BARCLAY said, he was one of those who believed there was nothing inconsistent between the interest of producers and consumers, if the proper adjustment were made of the subject now before the House. The object of the Bill was to encourage the production of meat, by giving security to farmers from disease, and to encourage a larger supply, which, of course, would cheapen its price. The Bill proposed by a combined effort to exterminate disease at home, and prevent its introduction from abroad, and so free the country from the widespread and serious losses which farmers, in the first instance, and the public indirectly, had suffered by losses in their herds from the three diseases now to be dealt with. These diseases were undoubtedly of foreign origin; their history was sufficiently known; but two of them had obtained such a hold on the country that, unless the measures for their extermination at home were as stringent and effective as those for preventing their introduction from abroad, much improvement on the recent state of matters could not be hoped for. The Bill divided itself into two parts—the measures for dealing with disease in this country, and the mode of preventing the introduction of disease from abroad. Foreign fat cattle were to be slaughtered at the port of landing, and store and dairy animals were to be subjected to quarantine. He thought the conditions of quarantine, and the expense and risk of disease in the establishments necessary so great, that quarantine amounted to prohibition, and that only special animals would bear the cost and risk. If so, the proposal was, shortly, that foreign cattle, both fat and lean, should not be allowed to mix with our home herds. The slaughter of foreign cattle at the port of debarkation was objected to on the part of the consumer; and the right hon. Member for Bradford (Mr. Forster) had moved a Resolution that, in the opinion of this House, such a regulation would increase the price of beef. With great diffidence he begged to differ from the right hon. Gentleman. The right hon. Gentleman had claimed to have proved his case; but he could only be said to have done so, if all the evidence favourable to his view were admitted and the adverse rejected. He (Mr. Barclay) had to remark on the evidence generally, that a great deal was founded on the mere opinion of cattle salesmen, who could offer no reasonable ground in support of their assertions. Steamboat proprietors and people from abroad had given evidence to the effect that the price of cattle would be lowered £1 or £2 per head; but they could have no opinion of their own. They merely re-echoed the assertions of the salesmen. Two important witnesses had stated that, in their opinion, the compulsory slaughter under Act of Parliament, which would be understood to be a permanent arrangement, would give a stability to the trade which, under varying Orders in Council, it never had enjoyed and never would. These witnesses were Mr. Robinson, himself a large importer of foreign cattle, and Mr.

Rudkin, who had had 20 years' experience of the London Cattle Market, and whose interests seemed to be in the Central Market, and so might be considered an impartial witness. Statistics had been largely quoted, and the figures were no doubt correct; but the inferences were generally very erroneous. The hon. Member for Southampton (Mr. Giles) had given the House the number of French cattle imported into Southampton in 1869, a year when the imports were exceptionally high, and compared these figures with the import after France was scheduled, when, for some reason, no cattle had been imported into Southampton. He could give figures showing the reverse. The imports of French cattle into England were, in 1868, 5,747; and in 1875, 9,025, showing a large increase—not into Southampton, but into other parts. And, in considering this question, he apprehended they had to take an Imperial view of the question. But both figures, if accepted as giving the true state of matters, were fallacious; because everyone knew that on account of the Franco-German War, and probably other reasons, France of late years imported more live animals than she exported. Then the hon. Member for Hackney (Mr. J. Holms) had cited the fact that Aberdeen sent to London in summer a much smaller quantity of dead meat than in winter, as evidence against the practicability of conducting a dead-meat trade in summer. But the explanation of the short supply in summer was, because Aberdeenshire had very few fat cattle to kill in summer. It was not a grazing county. Now, what was the real result to the importer of the regulation to slaughter at the port of landing, and what would be the effect on his trade? The animals were not to be slaughtered on the other side, although a great many arguments seemed to be founded on that idea. The practical effect was this—the consignor might, at the time of shipment, choose his market and send the cattle to London, Newcastle, or Hull; but, having selected his market, he could not, on landing them in this country, send them to another. If the cattle were imported to London, they must be slaughtered at Deptford Market, but not immediately on landing. The charge made by the City of London—for wharfage and use of the market—of 5*s.* per head, included lairage for 10 days; so that, if the market were glutted when the cargo arrived, the animals might be held over. Now, although it seemed to be forgotten, the whole of the English, Scotch, and Irish cattle which came to London over a period of six years were subject to precisely the same restrictions. From 1866 till the Deptford Market was opened in 1872, all home cattle sent into London had to be slaughtered in London—they could not be taken out again alive. English farmers submitted without complaint, but some Aberdeenshire farmers said it affected them prejudicially, because customers from some suburban towns could not take home alive the prime Scots cattle as they wished, and therefore did not buy. But there could be no such grievance in the case of foreign cattle, none of which were equal to the first-class of English animals, and the importers did not say that they wished to send the animals alive to inland towns, because the quality was so poor they could not find buyers in London. This showed, to his mind, clearly, that there could be no real ground for the alarm of the right hon. Gentleman. If English farmers submitted without impatience, it could not be supposed that foreign importers would be prejudiced to any appreciable extent. But if there were not customers enough in London, there was nothing to prevent cattle being slaughtered at Deptford, and the carcases sent into the country. Indeed, he believed such a trade had, to a certain extent, been already developed, and had not attained larger dimensions because of the uncertainty of the supply due to the fact that under the scheduling system, foreign cattle sometimes went to Copenhagen Fields, and sometimes to Deptford. They had heard many objections to the dead-meat trade, but they seemed to him all of an imaginary character. It was not proposed to slaughter on the other side, and import the dead meat, as seemed to be supposed. He would not approve of such a regulation, because a considerable time would be necessary to organize and develop such a business; but he could not see any difficulty in slaughtering the animals at the port of landing, and distributing the dead meat over the country, just as the people of Aberdeen did. Aberdeenshire sent meat to London to the value of nearly £1,000,000 sterling annually, and the mode of forwarding was steadily changing into a carcase trade, instead of the live animal. In 1860, only about half the supply was forwarded as dead meat; in 1870 it had become two-thirds dead; and he believed that now the proportion was three-fourths or four-fifths dead, and one fifth alive. Only the picked beasts were sent up alive—the fine black cattle which, being known in London as giving the finest beef, fetched more alive than dead. Could there be any great hardship in compelling the London dealers to do what, under less favourable circumstances, the Aberdeen butchers did voluntarily. In the most extreme view, they would only urge the trade a little more quickly into a channel it was naturally taking. They were told such a large quantity of offal could not be disposed of to advantage at Deptford, but that also was imaginary. Aberdeen was a town of 80,000 inhabitants, and there was no difficulty in utilizing the offal there. The cattle trade was conducted so closely that 2*s.* 6*d.* or 5*s.* of difference between the prices realized by the live animal and the carcase would determine whether the animal came to London alive or as dead meat. The fact was that offal could be most fully utilized where there was a supply sufficient to induce a trade and system to be organized; and there was greater waste in small slaughter-houses than in an *abattoir*. He had failed to discover what were the grounds on which the assertion rested that foreign cattle would not realize their fair value to the foreigner at Deptford Market. The landing and selling charges were the same at Deptford as at Copenhagen Fields. The demand was declared to be sufficient, and the competition keen; and unless there was some reason to be yet brought forward, he contended that the assertion was without foundation, and not entitled to any weight in considering the effect of the proposed regulation. Where did this difference of £1 or £2 go? They must show that the importer was in some way prejudiced by the restriction. If he was not, then the cattle would come as usual. The £1 or £2 of depreciation spoken of must go somewhere. Did the consumer get the benefit? If not, it must be absorbed in charges; but, as had been stated, the charges at Deptford were practically the same as at Copenhagen Fields. The statement of depreciation expected was entirely unsupported by the facts. With reference to the cases of countries usually free of disease—such as Spain, Portugal, Denmark, and Sweden—he had at first thought exceptions should be made in their favour as at present; and if he thought that the supply of cattle from those countries would be prejudiced, he should not insist on their slaughter at the landing port by Act of Parliament. But no disadvantage to the importer could be shown—and he thought the certainty which would be given to the trade at Deptford by a settled system would be of so great advantage that it would more than balance any possible doubt. Deptford Market had never had a fair chance. It was built by the City of London, on the general understanding that it was to be the market for all foreign cattle imported into London, as Copenhagen Fields was the market for home cattle; but no sooner was it opened than the right hon. Gentleman the Member for Bradford had allowed certain fat cattle to be taken to Copenhagen Fields, and so discredited the Deptford Market. It had been well said by the hon. Member for North Warwickshire (Mr. Newdegate) that uncertainty was the great bane of trade, and so long as the uncertainty caused by fluctuating Orders in Council prevailed, so long would the trade of Deptford remain in an unsettled state. Dealers would not organize a trade, or put money in a business which might be changed at any time. When Denmark, for instance, was scheduled, and the large supply of cattle thence and from Schleswig-Holstein had to be taken to Deptford Market, the dealers understood it might only last a few months, and instead of accommodating themselves to Deptford Market, made some temporary arrangements in expectation of the country being soon unscheduled. Then to the importer the risk was much enhanced. A whole cargo did not belong to one consignor. There might be several, and one careless shipper might cause the whole cargo to be re-shipped at Thames Haven, and sent, at very considerable expense and consequent loss, to Deptford Market. Let the trade have certainty, and dealers know what was to be the permanent arrangement, and he had no doubt the trade would be placed in a sounder and more healthy condition, and foreign cattle not on an average as good a return to the consignor at Deptford Market as at any in the Kingdom. He thought he had adduced considerations, founded on experience and common sense, to show that the anticipations of the right hon. Gentleman were unfounded, and that the reasonable probabilities were that the regulation proposed, instead of restricting the supply and increasing the price, would have a tendency in the opposite direction; and he confidently believed such would be the result. While he thus differed from the right hon. Gentleman in regard to the expediency of the treatment of foreign animals under the Bill, he concurred with him in considering the proposals for dealing with disease at home inadequate and a sham. He could not agree with the hon. Member for South Leicestershire (Mr. Pell), in considering the difference in treating foot-and-mouth disease between home and foreign cattle as objectionable. The circumstances were different. They could not isolate diseased foreign cattle at the port of landing, because, although one or two only might be diseased, the whole cargo would doubtless be infected, and accommodation could not be provided for so many, but, even if it could, the first loss would be found the least; but on a home farm the whole of the cattle on the farm could be isolated, and none moved from the farm while the disease lasted, and for 28 days thereafter. The case of disease in markets was very different; but Inspectors might examine beasts entering markets, and any diseased and those in the same lot might be slaughtered. Practical experience and zealous administration would meet such cases. The great defect in the Bill was that the machinery for dealing with disease at home was defective, and the motive power insufficient. The Local Authority in England was to be constituted as at present, and they had failed in every case of trial with rinderpest, which was more easily dealt with than pleuro-pneumonia or foot-and-mouth disease. What the farmers complained of in Scotland was, that while they were slaughtering out pleuro-pneumonia, it was being continuously introduced by cattle from England and Ireland, in consequence of the Local Authority in England and the Government in Ireland not carrying out the provisions of existing legislation. In this respect the Bill seemed a sham, and the circumstances attending the measure and its character tended to confirm this opinion. There was as much—indeed, greater—necessity for the Bill in 1874, when it should naturally have been brought forward after the Report of the Committee of 1873 than now, but it had been held over. The Duke of Richmond and Gordon had expressed last year very strong and decided opinions against his present proposals. He had not explained the grounds of the change; and it was understood he did not arrive at his conclusions without careful consideration, or change them with facility. Then, while foreign disease was stringently dealt with, the Bill failed to give English farmers that voice and hand in administering the law without which, in his opinion, the Bill would be a failure. They were unwilling to give the farmers any share in self-government. Their policy was to induce them to rely upon the Government instead of on themselves. He feared the Bill was intended to take at the next General Election the place which the great question of Compensation for Tenants' Improvements held at the last. The extermination of disease was a matter as urgent, if not of so much importance, as compensation for improvements; but unless the provisions of the Bill for dealing with disease at home were made far more effective, the measure would prove as futile to exterminate disease as the Agricultural Holdings Act to secure to farmers just compensation for unexhausted improvements.

Mr. RODWELL moved that the debate be now adjourned.

Motion *agreed to*.

Debate *further adjourned* till *Monday* next.

WEIGHTS AND MEASURES (*re-committed*) BILL—[Bill 143.]

(*Mr. Edward Stanhope, Sir Charles Adderley Mr. Attorney General.*)

COMMITTEE.

Order for Committee read.

Bill *considered* in Committee.

(In the Committee.)

Clause 1 (Short title).

Motion made, and Question proposed, "That the Clause stand part of the Bill."

MR. PARNELL said, it was very unreasonable for the Government to bring the Bill on at such an hour. It was very unfair to take the Bill at a time when it was impossible to discuss it, especially as it was a moral certainty that the Bill would pass this Session.

MR. E. STANHOPE hoped the Bill would be proceeded with, seeing that it had been on the Paper for three months.

In answer to Sir JOSEPH M'KENNA,

MR. E. STANHOPE said, he was prepared to accept the first of the Amendments which the hon. Baronet had placed on the Paper.

MR. WHITWELL hoped the Bill would be proceeded with, seeing the length of time it had been before the House.

SIR CHARLES RUSSELL expressed a similar hope.

Motion made, and Question proposed, "That the Chairman do report Progress, and ask leave to sit again."—(*Mr. Parnell.*)

Question put, and *negatived.*

Motion made, and Question put, "That the Chairman do now leave the Chair."—(*Mr. Biggar.*)

The Committee *divided:*—Ayes 14; Noes 115: Majority 101.—(Div. List, No. 188.)

Question again proposed, "That the Clause stand part of the Bill."

MR. PARNELL stated, that though he thought he would be justified in persevering in his attempt to get the debate adjourned, he did not wish in the circumstances, and as the night was very hot, to put the Committee to the trouble; but he protested against the conduct of the hon. Gentleman who had charge of the Bill. He had, whether intentionally or not, broken through an engagement with the House, that an opportunity should be given for discussing the Amendments to the Bill. By proceeding with the Bill, he would not facilitate its passage.

MR. E. STANHOPE: As the hon. Member accuses me of breach of faith towards him, I may explain that what I said was that if he would allow me to go into Committee, there would be an opportunity of discussing the Amendments. The Bill came before the Committee at 20 minutes to 1, and there is now an opportunity of discussing the Amendments. If the hon. Member will allow the Amendments to be proceeded with, I think he will find that they will occupy no time at all.

MR. PARNELL: The next time it is in my power to stop a Bill in charge of the hon. Gentleman, as it was in my power to stop this one when he gave me the undertaking to which I referred, I shall know what he means when he promises to give me an opportunity of discussing the Amendments.

Clause *agreed to.*

Clauses 2 to 15, inclusive, *agreed to.*

Clause 16 (Measure of capacity for goods formerly sold by heaped measure).

MR. E. STANHOPE moved, in page 4, lines 38 and 39, to leave out "nineteen inches and a-half, and the internal depth of which shall be nine inches and three-quarter," and to insert, "double the internal depth."

Amendment *agreed to.*

MR. STANTON moved the omission of the clause.

MR. E. STANHOPE, objecting to the change in the law which would be effected by this Amendment, expressed a hope that it would not be pressed.

Amendment, by leave, *withdrawn.*

Clause, as amended, *agreed to.*

Clauses 17 to 19, inclusive, *agreed to.*

Clause 20 (Sale by avoirdupois weight with exceptions).

MR. E. STANHOPE moved the following Amendments:—

Page 5, line 37, after "that," to insert "(1)."

Page 6, line 3, after "valid," to insert—"and (2) drugs, when sold by retail, may be sold by apothecaries' weight."

Amendments *agreed to.*

Clause, as amended, *agreed to.*

Clause 21 *agreed to.*

Clause 22 (Exception for sale of article in vessel not represented as being of imperial or local measure).

MR. E. STANHOPE moved, in page 6, line 15, after "measure," to insert—

"Nor subject a person to a fine under this Act for the possession of a vessel where it is shown that such vessel is not used nor intended for use as a measure."

Amendment *agreed to.*

Clause, as amended, *agreed to.*

Clauses 23 to 42, inclusive, *agreed to.*

Clause 43 (Appointment of inspectors of weights and measures).

SIR CHARLES RUSSELL moved, in page 12, line 12, at end of line to add—

"And may, if they think fit, assign such reasonable superannuation allowance as may be approved by the Local Government Board."

The hon. and gallant Member remarked, that the duties of the Inspectors under this Act were not only arduous, but at times dangerous. In making visits in certain parts of towns they were sometimes injured when paying, in the honest and faithful discharge of their duty, what were regarded by some as very unwelcome visits. It would seem hard that there should be no provision for the superannuation of a man so injured in the performance of his duty. The power which his Amendment proposed to leave in the hands of the Local Government Board with regard to these pensions would be a sufficient security against their being granted unnecessarily.

MR. E. STANHOPE admitted that there might be cases of hardship which would be met by some such Amendment as that suggested; but he could not see it to be consistent with his duty to accept the one proposed. It did not seem to him to have a fitting place in a Bill like this—a consolidation measure—but ought to be considered in connection with the much larger question of superannuation of public officers generally.

MR. DILLWYN was glad the Government intended to confine the provisions of this Bill within its real scope and purpose. Such questions as the Amendment would raise were too large to be discussed at so late an hour.

Amendment *negatived.*

Clause *agreed to.*

Clauses 44 to 73, inclusive, *agreed to.*

Clause 74 (Definitions as regards Scotland).

MR. RAMSAY moved, in page 22, line 42, to add—"the expression 'burgh' shall include Royal burgh and Parliamentary burgh."

Amendment *agreed to.*

Clause, as amended, *agreed to.*

Clauses 75 to 78, inclusive, *agreed to.*

Clause 79 (Enquiry by judge of assize and chairman of quarter sessions as to provision of local standards and sub-standards).

MR. E. STANHOPE moved, in page 24, line 35, after "county," to insert—"the recorder of the borough, or, if there is no recorder."

Amendment *agreed to.*

Clause, as amended, *agreed to.*

Clause 80 (Ex-officio inspectors of weights and measures).

MR. E. STANHOPE moved, in page 25, line 13, to leave out to "but," in line 14, and insert—

"Nothing in this Act shall authorize local authority in Ireland, except the local authority of the borough of Dublin, to appoint inspectors of weights and measures."

Clause *agreed to.*

Clause, as amended, *agreed to.*

MR. E. STANHOPE moved, in page 24, after Clause 79, to insert the following Clause:—

(Expenses of ex-officio inspectors.)

"Expenses incurred by any member of the Royal Irish constabulary as an ex-officio inspector of weights and measures in the execution of this Act shall be payable to such inspector by the person acting as treasurer of the local authority of the district on presentation of accounts of such expenses, to be furnished quarterly, certified to be correct by the county inspector of the county.

"The secretary of every grand jury being a local authority under this Act shall, at each assizes or presenting term, and the clerk of every other local authority shall once in every year lay before each such grand jury or other local authority an estimate of the sum which may appear to be necessary to meet such expenses until the next assize or presenting term, or for the ensuing year; and every such grand jury or other local authority shall, without previous application to presentment sessions or other preliminary proceedings, present in advance to the person acting as treasurer the sum specified in such estimate, to be raised and paid out of the local rate; and if the sum so raised proves more than sufficient for the purpose, the balance shall be carried to the credit of the local rate by the person acting as treasurer, and if the sum so raised proves insufficient, the person acting as treasurer shall apply for payment of such expenses any other available funds in his hands."

Clause *agreed to*, and *ordered* to stand part of the Bill.

MR. E. STANHOPE moved, in page 31, column "Measure of Capacity," after line 21, to add—

Fluid ounces:—
4, 3, 2, 1.
Fluid drachms:—
4, 3, 2, 1.
Minims:—
30, 20, 10, 5, 4, 3, 2, 1.

Amendment *agreed to.*

SIR JOSEPH M'KENNA moved to omit from Schedule 6, 25 Edw. I. (9 Hen. 3 in Ruffhead) Magna Carta, chapter twenty-five.

Amendment *agreed to.*

Bill *reported;* as amended, to be considered upon *Monday* next, and to be *printed.* [Bill 229.]

ELDERS WIDOWS' FUND BILL.

(*Mr. Edward Stanhope, Lord George Hamilton.*)

[BILL 226.] SECOND READING DEFERRED.

Motion made, and Question proposed, "That the second reading be *deferred* till Monday next."

An hon. MEMBER asked, whether it was desirable to put Bills like this down for second reading without having them printed?

MR. E. STANHOPE explained, that the Bill was printed, but expressed regret that it had not yet been circulated.

Motion *agreed to.*

Second Reading *deferred* till *Monday* next.

SALE OF INTOXICATING LIQUORS ON SUNDAY (IRELAND) BILL.

(*The O'Conor Don, Mr. Richard Smyth, Mr. Charles Lewis, Mr. James Corry, Mr. William Johnston, Mr. Dease, Mr. Dickson, Mr. Redmond.*)

[BILLS 44-215.] CONSIDERATION.

THE O'CONOR DON said, that before fixing the day to which he would postpone this Bill, he wished, with the indulgence of the House, to make a short statement. At the commencement of the Sitting the Chancellor of the Exchequer had stated that it was his intention to carry out the promise the Government had made to give facilities for the passing of this Bill, by proposing that the House should sit next Saturday for the consideration of the Bill as amended. He (the O'Conor Don) had accepted that proposal, because no better had been made to him; but he must express his own opinion that it would be better if the Bill could be discussed on some other day than Saturday; and he appealed now to the Chancellor of the Exchequer whether he could not, to meet the convenience of the House, carry out the promise of the Government in some other way? If he could name another day, that would be more agreeable to the convenience and feelings of the promoters of the Bill.

THE CHANCELLOR OF THE EXCHEQUER: I made the offer the hon. Gentleman has referred to because it appeared to me to be exceedingly difficult to find any better day on which to redeem the promise Government made, and by which they are, undoubtedly, bound to give such facilities as can possibly be given for the further discussion of the Bill. I suggested Saturday; but, I am bound to say, I agree with the hon. Member that Saturday is not a very convenient day, and there is a very strong objection on the part of a great number of Members—an objection not unnatural—to a Sitting on that day. In these circumstances, I would make the proposal to the hon. Member that he should postpone the Bill till Thursday, 11th July, and the Government would make it the first Order of the Day.

THE O'CONOR DON, accepting the proposal, moved—"That the Consideration of the Bill, as amended, be deferred till Thursday, 11th July."

MR. ONSLOW was glad that Saturday had not been fixed for the Consideration of the Bill; but pointed out that a valuable Government day would be lost if the Bill were considered on the 11th July. There was a strong feeling against the passing of the Bill this Session; and, though he should be sorry that anyone should think he was opposing this Bill merely for the sake of obstruction, he would assure his right hon. Friend that there was no chance of the Bill being advanced on the 11th July, and that, in his humble opinion, it was a mistake to give that day. He asked the right hon. Gentleman to consider whether he would not advise the hon. Member for Roscommon to postpone his Bill still further.

Motion *agreed to.*

Consideration, as amended, *deferred* till *Thursday* 11th July.

COUNTY OF HERTFORD AND LIBERTY OF SAINT ALBAN ACT (1874) AMENDMENT BILL.

Ordered, That the Select Committee on the County of Hertford and Liberty of Saint Alban Act (1874) Amendment Bill do consist of Five Members, Three to be nominated by the House, and Two by the Committee of Selection:—Sir ANDREW LUSK, Mr. COWPER, and Mr. ABEL SMITH.

House adjourned at a quarter before Two o'clock.

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HOUSE OF LORDS,

Friday, 28*th June,* 1878.

MINUTES.]—PUBLIC BILLS—*First Reading*—Supreme Court of Judicature Act (Ireland), 1877, Amendment * (139).

Second Reading—Intermediate Education (Ireland) (132).

Committee—Report—Inclosure Provisional Order (Orford) * (127); Pier and Harbour Orders Confirmation (No. 1) * (109); Dental Practitioners * (123-140).

Report—Highways (South Wales) * (98).

Withdrawn—Corrib (Galway) River * (113).

INTERMEDIATE EDUCATION (IRELAND) BILL—(No. 132.)

(*The Lord Chancellor.*)

SECOND READING.

Order of the Day for the Second Reading, read.

Moved, "That the Bill be now read 2ª."—(*The Lord Chancellor.*)

LORD WAVENEY said, when his noble and learned Friend on the Woolsack introduced this measure, he ventured to hail it as one well calculated to promote Intermediate Education in Ireland, and so accomplish the work which the old diocesan schools had been founded to perform, and further consideration of the measure confirmed him in that view. From his own personal knowledge, he could say that some of those schools had given an excellente ducation to members of the three great Churches, while they had been no burden on the people generally, being supported by the Clergy. It was, however, useless to conceal from themselves how liable were their best hopes to be frustrated in the matter of schemes for Irish education; and it seemed, from the experience of the past, that when an endeavour was made to draw the different Churches together, that endeavour failed in proportion to the sincerity with which it was made; and, in the present case, he confidently believed that no measure could be offered to the consideration of the country which was more unlikely to raise any of the feelings which had caused the defeat of the measures which had been proposed in the past. The scheme which had now been introduced by the Government appeared to him to deserve well of their Lordships, and he trusted it would be persevered with, notwithstanding any points of difficulty which might present themselves. No measure was ever proposed affecting Irish education which did not raise difficulties between the classes who were educated at the National Schools and those who went to the Primary Schools. He believed there were many who would take advantage of the schools proposed by the Bill. He cordially approved of the principles of the Bill, which embodied free schools, free teaching, and free scholars. The advantages offered to the country were not to be over-rated, and the country would only have itself to blame if it did not take advantage of the opportunity now offered. He was gratified with the attention which had been already paid to the Bill. He had received letters from gentlemen of the highest intelligence indicating their firm confidence in the good fruits which might be produced by this system of education if it were sagaciously and wisely administered. He had received one letter from the lady secretary of a leading educational establishment in Dublin, in which she begged that, at the proper time, he would move that the benefits of the Bill be extended to the ladies of Ireland. If ever there was a scheme which had a fair prospect—a more than fair prospect—a certainty of success, it was this one; and he should be surprised if other noble

Lords sitting on his side of the House did not as cordially support it as he did.

LORD O'HAGAN said, he had great pleasure in offering his cordial thanks for this Bill, and he thought the Government were entitled to the gratitude of the country for its introduction. Having promoted such a measure, it was now incumbent upon the Government to take care that it should not be delayed, but that it should become law during the present Session. That was a matter of great importance to Ireland; and if there was anything which he could possibly grudge his noble and learned Friend on the Woolsack, it was his good fortune in having had the splendid privilege to introduce a measure which in itself, and in its consequence, he believed, would be fraught with so much good to Ireland. The first question for their Lordships' consideration was, whether there were sufficient reasons or not for the introduction of a scheme of Intermediate Education? For many years they had had great discussions in Ireland on the subject of Primary Education, and for many years there had been a conflict of opinion as to the existence and operation of the National Board. That Board had its shortcomings, and it might have had its errors and defects, but it had been successful in spreading schools over the country from the centre to the sea; and the results upon the youth of Ireland, of a class not so high as that to which this Bill addressed itself, must be in the highest degree encouraging to every man of good feeling and good understanding in the country. He would read to their Lordships a startling statement, though its truth could not be doubted, considering the authority by which it was made. From figures quoted a short time since by the Lord Lieutenant of Ireland, it appeared that England had 72½ per cent of the population of the United Kingdom, Ireland 17 per cent, and Scotland 10½ per cent. Since 1871 there had been 1,918 places in the Excise and Customs bestowed in public competition. For these places there had been 11,371 candidates, of whom 11 per cent were Scotch, 46 per cent English, and 43 per cent Irish. Of the places, Scotland gained 6 per cent, England 38 per cent, and Ireland 56 per cent. Of every 100 Scotch candidates 9 passed; of every 100 English, 14; and of every 100 Irish, 22. Why did he quote those figures? He quoted them to show what the young men could do when educated; but what were their opportunities? The Irish boy could distance his competitors in the struggle for the humbler positions in the public service; but here he must bound his ambition and abandon hope. If he desired to look higher, and raise himself by honest efforts and assiduous culture to a better position in life, the way was barred against him. Every lad in Scotland had a classical school within easy reach of his home, and endowments invited English students to progress and to honour. It was said that a few years ago one-fifth of all the *alumni* of the University of St. Andrew's were the sons of labourers; but in Ireland, youths similarly situated could not compete for the higher offices, which were the reward of liberal education. This was from no national inferiority and from no social disqualification, but for the lack of the information which the State had refused to supply, and by its action had denied them redress. A million of children were educated in Ireland in the National Schools. About the age of 15 their education was completed. Up to that age they were amongst the best educated youths in Europe, but from that time they were without hope for their further advancement, however they might feel within themselves the impulses of genius and the consciousness that they were worthy of a higher destiny. According to the Returns taken in 1871, there were in Ireland learning Latin only one in 923 of the entire Catholic population, and one in 259 of the Protestants; while there were learning Greek—of the Catholics one in 1,207, and of the Protestants one in 398. These figures spoke most forcibly of themselves. They showed how completely had been the decadence of Intermediate Education in Ireland in recent times; and they showed also that the Catholic population, as they had the deepest interest in it, ought to make the most earnest efforts for the success of the system proposed by the Government. The sad history of Ireland had no blacker page than that which contained the narrative of her educational efforts during the last 200 years; and without doubt her demand for reparation in this respect constituted her strongest claims on the Imperial Legislature. An Act of Henry VIII. provided for the establishment of schools in every parish, but it had been allowed to fall into desuetude; and in the institution of endowed schools, down to a recent period, the action of every successful statesman was conceived in a sectarian spirit, and had for its object the propagation of peculiar religious tenets, and not the advantage of the people, whom it was vainly desired to coerce and corrupt into the adoption of them. The endowed schools were not originally or legally exclusive, but they became practically so, and were of no benefit to the great mass of the people. The old legislation of the penal times was the most abominable which the perverted ingenuity of man ever invented to debase humanity, and aimed to keep the Catholic population in a state of utter ignorance only to be avoided by the sacrifice of faith and honour. A Catholic parent could not instruct his own child; a Catholic teacher could not bring up a Catholic pupil under penalties of the heaviest kind; and from the benefits of the educational endowments the Catholics were rigidly excluded. This fearful system continued to blight the intellect of the country for 90 years; and it was only wonderful that the people, ever eager for knowledge, and always aided to struggle for it by the Catholic priesthood, managed to get it in obscure places from humble teachers who ventured to defy the law. The Charter Schools aimed to Protestantize the country by robbing parents of their children, and compelling them to submit to instruction which they detested. They flourished for years, but their monstrous abuses—their cruelty, filth, and utter inefficiency—were exposed by Howard in one of those meritorious efforts of his noble life, and they eventually gave place to other institutions, which still laboured, though with mitigated virulence and equal absence of results, to undermine the ancient faith. Finally, Lord Derby's scheme of National Education was abandoned. This hopeless work of proselytism aimed at giving the Irish people united secular education and separate religious instruction. In spite of the shortcomings of that scheme, it had bestowed on the Irish people, as had been well observed, the greatest benefits which they had ever derived from the Imperial Legislature. He had endeavoured to show to the House some of the remarkable results of its operations in the success of the competition for places in the Civil Service, and they were made more manifest in other ways; but they had not all been equally beneficial—*surgit amari aliquid.* The noble and learned Lord (the Lord Chancellor) had already observed how they had tended to destroy the old schools, which gave, in so many cases, a good classical education. The masters were maintained by the majority of their scholars, who sought only some English education, and they were able to supplement their incomes from those who desired a higher culture; but when the State drafted away that majority by its liberal subscription to the National Board, these schools, of necessity, ceased to exist. This evil had been great and universal, and it was not unfair to ask Parliament, whose action, although for purposes most beneficent and most successful, had produced that evil, to supply a sufficient remedy. The schools which had formerly existed in the North and South had nearly become extinct. In Kerry ripe scholars used to be found among the bogs and mountains, and the Northern Province, where the noble and learned Lord (the Lord Chancellor) and he first saw the light dawn, had modest seminaries, which had sent many a distinguished man to the legal and clerical professions. In Newtownstewart the people told their own tale in a Memorial to the National Board, deploring the extinction of the old schools of their parents, which had sent hundreds of pupils to the various professions, many of them attaining high distinction. The National Board was so pressed by representations of this kind that it was ultimately induced, perhaps without sufficient authority, so to dispose of the resources devoted to Primary Education as to offer some small result fees to teachers instructing in classics before or after the ordinary school hours; but that aid was, of course, utterly inadequate to meet the necessities of the case, and last year only 305 pupils passed in Latin and 90 in Greek. He, as one of the Commissioners, was not prepared for this, because he thought that the funds were intended for the poor; but what could they do? He would read two passages from the Memorial. It spoke of the people affected by the Board, and stated that—

> "The first is a list of the boys primarily affected by the Board's order, those—namely, who formed the Latin classes in Newtownstewart School, with a statement of their social position and that of their immediate relatives. The Board will observe that though in humble or struggling circumstances, they are just of that class from which the Professions are in fact recruited or have been hitherto. Nearly all of them have uncles, full cousins, or elder brothers, who have made their way to the Professions.
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> "The second list contains the names of more than 20 teachers who actually have imparted classical instruction, since the year 1800, in different districts of this parish—in Newtownstewart, Lisnatanny, Douglas, Ardstraw Bridge, Crew Bridge, Dreguish, Magheracriggan, Erganagh, or Clare—not all simultaneously, but two or three or four at a time, as the wants of the localities varied. At present, with some 25 National Schools in the parish, and several Church Education Schools besides, there is no classical or other superior instruction whatsoever. And we have every reason to fear besides, that the little English which is learned in early childhood is, for want of being kept up and carried on, mostly forgotten before the age of puberty.
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> "The third list represents in part the fruit of this old-fashioned instruction, a list—namely, of those natives of the parish, who, since the year 1800, have actually reached the Professions. And we say 'in part,' for our list is most incomplete; more careful inquiries would, we are satisfied, increase it 25 per cent or more. It contains, however, between 300 and 400 names. And many of these, the Board will observe, not only reached the Professions, but attained to some eminence therein.
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> "Our Clerical list contains a Dean of Maynooth and several Protestant Rectors; our Medical list includes three who each won the honours of knighthood. And all this we add, not without some pride, is from a parish whose only resources are agricultural, whose resident gentry are few or none, and where the average size of the farms is under 20 acres of but middling land—of land reclaimed with difficulty from rock or bog or mountain."

He did not think a more interesting statement could be laid before the House, or one which showed in the most complete way the great and pressing necessity for supplying the want of Intermediate Education, caused by the destruction of these schools. The admirable Report of the Senior Commissioner of 1866 was conclusive as to the continued decadence of Intermediate Education. He would only add to the figures stated by his noble and learned Friend, that in 1866 there were 1,504 private schools in action, which in 1871 had diminished to 612, the decrease of pupils in the same period being 24,782. The Committee declared, with deep regret, that all available evidence pointed to a similar rapid retrogression. No wonder that the community had been alarmed by such a state of things. There had been an unanimous universal outcry, for the North Endowed Schools Commissioners in 1857 testified most strongly to this, and to the anxiety manifested by all people of all parties and religions in every district in Ireland for some provision for middle-class institutions; for some assistance to those who were willing and earnest to obtain some distinction by honest industry and mental cultivation. The Commissioners strongly urged the compliance with a demand so just and reasonable, and suggested something of payment by results, which the Government approved, as an ample means of improving Intermediate Education. But 20 years had gone, a generation had passed away, the effects which were naturally to be expected had been produced, the intellect of Ireland—to use the words of the Census Commissioners—had been "starved and warped." A moral paralysis had affected the mind of the country. The people had ceased to know or care for better literature. Book shops were vanishing from the country towns, and the publishing trade, which in the last century was large and flourishing, was almost extinct. Once the publishers of Dublin produced multitudes of expensive works—encyclopædias, dictionaries, books of science and travel, and classical criticism; but the production of such books had almost now ceased. Those who read might look abroad for the means of indulging their literary appetites. The want of the love of reading had resulted from the want of education, from which the love of reading came. Ireland could produce naturally men of literary ability if education was available; and unless there be a change and a supply the result to the character of Ireland—intellectually, morally, and socially—must be of the most serious and lamentable description. In a political sense, too, it was very desirable just now that all these things should be looked at. The question of education was at the present time the question of the world. They had given the Irish people the franchise and the ballot, and possibly they might give them at some future time a Parliament; and it was, therefore, very important that the people should be educated. The franchise was a blessing or a curse, according to how it was used; and it was necessary that the great instrument of education should be wisely and considerately employed. In Ireland there was material progress, but mental retrogression. Irish literary ability found scant encouragement at home, and was driven to seek employment and reward in other countries. He lamented that he should be obliged so to speak of the state of things which prevailed in Ireland; but their Lordships should understand it in order to appreciate the necessity for this measure they were asked to adopt. With regard to the Bill itself, he did not think he would trouble their Lordships with a discussion of details after the measure had been so fully explained by the noble and learned Lord (the Lord Chancellor). A Bill of this description might be valuable or valueless, according to the nature of its administration. It might be a blessing or a curse, according to the manner in which it was carried out. It appeared to him to be quite sufficient if the same fair and impartial spirit which dictated the framing of the Bill were applied to its administration. If rightly and properly administered the scheme would be an admirable one, and would commend itself to their Lordships as an honest effort to supply a great national want and in a just and judicious manner. It was admirable in itself, in its consequences, and in the principle that it adopted. It respected the rights of conscience; it did not interfere with religious susceptibilities; it encouraged individual effort and rewarded it; it absolutely and impartially dispensed the bounty of the State; it aided and improved and consolidated the efforts of scholastic institutions; and it did all this without vexatious interference with the internal management of these institutions. That was all excellent; and, for his part, he thought very little more could be desired. It devoted to good purposes a fund which could not be more fitly employed than in making reparation for the past evil, and giving assurance for a better future. His only anxiety at present was that the Bill might not be made the law of the land this Session. He hoped, however, there would be no endeavour to defeat it by extravagant demands on the one side, or captious objections on the other. He trusted that, seeing this Bill was one for the benefit of Ireland, all Parties would unite in passing it. This settlement had been too long delayed, and he could conceive few things more criminal than it would be to delay it any further. For his own part, he had lamented—and always should lament—that the great University Reform for Ireland introduced by the late Government, which was conceived by an earnest desire to promote the welfare of Ireland, had not passed into law. He was convinced it would have done great good for Ireland; but that was a matter of the past. They must now look forward to the future to see that generations of Irishmen should not pass from infancy to old age with lapsed opportunities and blasted hopes—and live and die without the culture which might enable them to advance themselves and serve their country. The youth of Ireland had not the advantages of a great commerce, of great manufactories, or of ships, or of mines; but they had what, under certain conditions, was as good as any of those things—they had considerable mental power, and that possession should no longer be thrown away or allowed to stagnate and waste itself in hopeless inactivity. It was because he believed this Bill would afford a means for the successful development of that power that he gave it his hearty support. He fondly believed that a better day had come for Ireland; and that through this measure and those which might come after it, designed in the same good spirit, that mental power might find a full and prosperous development. The angel of Siloam stirred the sluggish pool and the healing influence descended—the spirit moved upon the dry bones in the prophet's vision, and they grew to shapes of beauty—and, with God's blessing, they would see Ireland launched on a new career and roused to generous action, awakened soon to new life and new hopes.

VISCOUNT MIDLETON looked at this question from a different point of view from that of his noble and learned Friend who had just spoken; but he did not know that his conclusions were very different. He thought he could speak with some authority on the subject, because for some years past he had been one of the Trustees of an intermediate school in the South of Ireland, which, he was sorry to say, had not been successful. In the present generation he knew of a school in existence which was endowed 200 years ago. In the course of the last century the endowment which had been secured to it had been reduced to less than one-third of what it originally was. The consequence of the present state of things was, that there was really very little inducement to a man, if he were not a man of extraordinary energy and love for his work, to take up the profession of a schoolmaster. But, even supposing that the pecuniary remuneration were sufficient, which it was not, there was the difficulty that there was no recognized Board examination to which the master could submit his pupils to test their comparative success and, what was far more important, his efficiency as a teacher as compared with the teachers of other institutions. If that want alone were supplied by the present Bill he should consider it a great boon to Ireland. But a great deal more would be done. It would give the master a fresh interest in his work, because it would give him a direct pecuniary advantage in the number of pupils who passed the examinations. It would, at the same time, give to the pupils a new stimulus to exertion in the exhibitions it would open to them, and the assistance it would afford them in their entrance into the tussle of life. He knew an instance, in which the son of parents in a very humble position, and of very limited means, was able, through the small exhibitions that at present existed, to obtain everything that could be obtained at Trinity College, Dublin; and when he last heard of him, he was a successful candidate for the public service. That was the class of pupils they wanted to assist in every possible way, because they were the class from which they might expect to get good public servants; but at present they were practically without the assistance which had long been furnished, by Universities and kindred institutions, to those in a similar class of life in England. He had taken the opportunity, since the Bill was laid upon the Table, of communicating with those on the other side of the Channel, who had been for their whole lives practically interested in the work of education, and he found but one opinion—that the Bill, if passed into law, would be the most valuable aid, in an educational point of view, that had ever yet been extended by Parliament to the sister country. If he might be permitted to criticize, there were two provisions which he should like to see somewhat modified. First, as regarded the age at which pupils were to be permitted to present themselves for examination, he could not help thinking that the age named in the Bill was somewhat too high for the case of Irish boys, and he would suggest that it should be fixed at 15, or, still better, at 14. In his country it was beyond the power of parents, in the great majority of cases, to keep their children at school beyond that age. A large number of the boys who were brought up in those schools as they existed, and a still larger number of those who would be brought up in the intermediate schools as he hoped they would exist, were intended for commercial life, for clerkships in banks, and other similar employments in our cities and towns, and in their case the continuance of the education up to the age of 19, in the intermediate schools, would be a mistake. It would, therefore, be a very great advantage if the Board, which was to be called into existence by the Bill, fixing whatever standards it thought proper, were to permit boys of a younger age to compete in those standards. In many cases he believed they would be able to attain the standard, and be able to enter into the duties of active life, at a somewhat earlier period than would be the case if the provisions of the Bill were to pass as they stood. Another point which he should like to mention had reference to the subjects in which the pupils were to be presented for examination. With the greater portion of the subjects mentioned he entirely agreed; but he rather doubted whether it would be possible, unless matters changed very much, to teach boys in intermediate schools in Ireland much in the shape of natural science, and he was inclined to think that that particular branch of education would be better left to those who ultimately went up to the Universities. There was only one other point on which he desired to touch. He was extremely anxious that the Conscience Clause should not be made too stringent in the case of Ireland. From the peculiar circumstances under which education was conducted in Roman Catholic schools, it was very doubtful whether the children of Protestant parents would ever be sent to them, and there was no fear of a competent master of a Protestant school interfering with the religious belief of his Roman Catholic pupils. The self-interest alone of the schoolmaster would point out to him that it was exceedingly desirable for him to take proper means to prevent matters of faith being touched upon in a system of education which was pursued for a different purpose. Looking at the Bill from a practical point of view, he thought that it contained elements of great hope for the future education of Ireland. It would bring into existence, in the first place, that to which he attached the greatest importance—a competent Board of Education. It would supply an independent system of examination, which would cover all the schools in the country, and thus they would be able to compare one with another, and to see who were the most competent teachers. When parents had the opportunity of testing the efficacy of the teaching in the different schools, there need be no fear of the best masters failing to get the best support. Secondly, you would obtain an addition to the salaries of the masters, which was at present grievously needed. What was wanted was to engage the highest possible stamp of man, be his opinion what it might, to enter upon the instruction of the youth of the country. At present such men were to be found in a very limited number, and the demand was greater than the supply, even as it was. If they were able to offer proper remuneration, there would be no difficulty whatever in obtaining competent men, and they would have the general standard of education immeasurably improved. Thirdly, the Bill would provide that which in Ireland was of the greatest possible importance—a subsidy for boys of unusual talent, or even for those of ordinary talent, who made the best use of their time, affording them the opportunity, at present much needed, of raising themselves in the social scale. Those were the reasons why he hoped the Government would leave no stone unturned to pass the Bill into law in the present Session.

Lord CARLINGFORD: I do not feel quite able to echo the extreme enthusiasm of the last speaker as to the unparalleled merits of the Bill before us; but, at the same time, I am loth to differ from him, or to question what he has said on the subject. Indeed, whoever has taken any part in the subject of Irish Education—as I at times have done—must recognise the great importance of the Bill, and take an interest in its success. I, therefore, rise for the purpose of adding my voice, by way of welcome, to the voices of those who have already spoken on both sides of the House in favour of the Bill. I am ready to welcome it, because I believe it to be a practical, and evidently a sincere, attempt to deal with the most neglected and the most starved part of the Irish educational system; and especially I welcome it because it attempts, with a fair prospect of success, to provide for the Intermediate Education of the largest and most neglected portion of the population of Ireland. It professes to be a Bill to promote Intermediate Education in Ireland. I hope and expect that it will promote Intermediate Education generally over the whole country, without exception of classes or creeds. The great blot of our educational system in Ireland, and of many former attempts at educational legislation, has been that we have not managed to promote education in Ireland generally and without large exceptions. Those classes in the country whose education had already in former days been largely promoted found their education promoted still further, and have obtained, and are now enjoying, large advantages from the legislation of Parliament; but those classes whose education in the old, and what I may call the bad, times had not been promoted, but, on the contrary, had been depressed and even crushed, have failed to obtain even from the well-meant legislation of Parliament of recent years that amount of advantage to which they had every claim, and of which they were in by far the greatest need. That is the state of things with which we have to deal now. The statement I have just made is, I believe, true as to every part of Irish education other than primary; but it applies especially to Intermediate Education. There is a little poem by the poet Moore, which was famous in its day, and which was a kind of political parable applied to the Established Church. The poet called it *The Dream of Hindostan*, and in it he described a city, the inhabitants of which were forbidden by their religion to eat butchers' meat as food. He says—

> " But how is this ? I wondering cried,
> As I walked that city, fair and wide—
> And saw in every marble street,
> A row of beautiful butcher's shops—
> ' What means for men who don't eat meat
> This grand display of loins and chops ; '
> In vain I asked. 'Twas plain to see
> That nobody dared to answer me."

This parable was applied at the time to the Established Church; but it is not without its application to the system of education in Ireland at that time and since. The fact is that in ancient and modern times we have been offering educational food to the people upon such terms that they have not been able to swallow it. If that were to be the result of the present proposed legislation it would only add to the number, I will not say of failures, but of most imperfect measures and partial successes that have hitherto been passed by Parliament. I do not apply these observations to the National Schools of Ireland. The National School system is one of which we are all justly proud, and of which the success has been great; but the moment you get above primary schools my statement, I am afraid, is too true—that is to say, that all the schools above that class, although doing great good within certain limits, have failed to promote, generally and universally, the education of the people of Ireland without exception of class or creed. The model schools of Ireland, the training schools of Ireland, which are still the blot and the opprobrium of the educational system of Ireland, the Queen's Colleges, even Trinity College, Dublin—that great and distinguished and in its way most valuable institution—and more especially the endowed schools for the purposes of Intermediate Education, have failed in that respect. As a Protestant, I rejoice that the Protestants of Ireland have the numerous educational advantages which they possess both from ancient times and from modern legislation. I admire their industry and energy; and I know, and am glad to know, that they have made, and are making, the best use of those advantages; but I desire—as I am sure all your Lordships would desire—that those advantages should be common to all the people of Ireland; that the advantages of education should be put within the means and within the consciences of every part of the people of Ireland without distinction of class or of creed. And it is because I hope and expect that the terms on which Intermediate Education is offered in this Bill will be practically available for all the people of Ireland, that I am ready to give it a cordial welcome in this House. It is true that the Bill offers all its advantages not only to that portion, forming, I believe, the majority, of the people of Ireland which is in a state, comparatively, of educational destitution, but also to that portion which has already considerable educational advantages. It may be said, by way of objection and criticism, that those who are already endowed in respect of Intermediate Education will be still further endowed and provided for; and that those who have exceptional advantages for obtaining that education which will enable them to compete for these prizes and result fees, will be able to compete for them upon equal terms with others who are not so favourably placed. I do not mean to dwell upon that part of the question. I will not raise it as a criticism upon the Bill, and I do not feel inclined to raise it, because I am satisfied there is nothing in the terms on which these advantages are offered to the majority of the people of Ireland which will prevent them from making full use of them. There is one clause which I think does require explanation, and perhaps re-consideration, from the noble and learned Lord on the Woolsack. It has been mentioned already by the noble Viscount opposite (Viscount Midleton)—I mean Clause 7, which imposes a kind of Conscience Clause upon all schools which shall avail themselves of this Bill. I doubt the necessity or the wisdom of the new Board of Intermediate Education making itself responsible in the matter of a Conscience Clause for the internal and domestic arrangements of the schools which may send up candidates for these examinations. I doubt the wisdom or the prudence of extending the Conscience Clause system from primary schools, where it is necessary, to intermediate schools, which are of a totally different class, and in regard to which it is not only not necessary, but might work injuriously. I hope the noble and learned Lord will consider the advisability of giving up that clause. There is one other point on which I should like to say a word. I entirely agree with those who have urged the great importance of the constitution of the Board of Commissioners who are to administer this Act when it becomes law. I see that there are no qualifications laid down in the Bill, and no restrictions whatever upon the Government in the choice of the members of the Board. I do not say that it would be easy to lay down any such qualifications or restrictions. Perhaps it is better as it stands; but it is impossible for us in this House to impress too strongly upon the Government the vital necessity, if the Bill is to be a success, for the greatest care and liberality in the choice of the members of the Board. It will, for that purpose, be absolutely necessary that the members of the Board should be men capable of forming an enlightened judgment upon all educational questions, and especially upon such questions as will come before them in connection with these examinations and the distribution of the funds. It is not enough, in a case of this kind, to obtain men distinguished for their literary and educational attainments. There is one thing even more necessary than that, and that is that the members of the Board should be men capable of obtaining the confidence of all classes and creeds of the people of Ireland. I am convinced that no one who knows the country will differ from me when I say that that condition is necessary and essential. If the confidence of the people of Ireland of all creeds is to be obtained for this Bill, and its full advantages are to be realized, it is necessary absolutely that those who are to work the machinery of the Bill—if it becomes law, as I hope it will before long—and those who are responsible for the distribution of the fund, shall obtain and retain the confidence of the people, not of one class or creed, but of all. If that is sufficiently provided for in the choice made of members of the Board, I hope and believe the Bill will turn out to be a success; that it will mark a very great step in advance in the education of the people of Ireland; that it will remedy the most neglected part of the educational system; and that it will lead, in future years, to still further measures of improvement.

THE EARL OF BELMORE said, he had no doubt the Government would take pains to select the best persons to form the Board; and he quite agreed that persons of literary distinction were not necessarily the best to be placed upon a Board of this sort. While he was on the subject of the Board, he should like to ask his noble and learned Friend on the Woolsack what was to be the exact position of the Assistant Commissioners? It appeared that the Assistant Commissioners were to be also Secretaries of the Board, and, if necessary, Inspectors; and, further, that the Board was to define the duties of the Assistant Commissioners. What he wished to know was, whether the Assistant Commissioners were to be in all respects the equals of the other Commissioners, and to vote as members of the Board? Then, with regard to the Conscience Clause, he was very much inclined to agree with his noble Friend who spoke last, that possibly that clause had better be omitted from the Bill. It was a clause commonly inserted among the Rules of the National Board; but the cases were not by any means on all fours. The duties of the National Board were to provide education; but, in this case, the duties of the Board would be merely to secure an independent examination. At the same time, it was quite clear to those who knew Ireland that all who would receive education under the provisions of the Bill would get it in schools where the teaching of religion would be little thought of or considered. The Bill provided that the Board should, at the beginning of each year, publish a list of Examiners; and he believed it was intended that the appointment of the Examiners should be for one year only. Now, he was told that one of the great difficulties in regard to the endowed Schools was in the selection of Examiners; and that in one of the schools in the county where he resided the examinations were conducted with considerable difficulty. He would venture, therefore, in Committee, to propose an Amendment to the clause with reference to the Examiners, so that the appointments should not necessarily be for only one year; but, of course, if the alteration was objected to he should not press it. He did not think that there were any other points in the Bill with which he need trouble their Lordships. The noble Viscount near him (Viscount Midleton) had raised an objection to the age of the pupils; but the age was, as a matter of fact, the maximum and not the minimum. He heartily joined with noble Lords on both sides of the House in the hope that the Bill would obtain the assent of Parliament during the present Session.

LORD ORANMORE AND BROWNE said, he would not detain their Lordships at any length; but he must say that he had listened with considerable interest to the speech of the noble Lord who spoke the last but one, because the noble Lord had long taken an active part in carrying out the education of Ireland as an undenominational system; and the speech he had made that night seemed to indicate that he would give that up almost altogether, and hand it over to the Roman Catholic clergy of Ireland, with funds, of course, provided by the State.

LORD CARLINGFORD said, the noble Lord had misunderstood him. In what he had said he had supported the Bill.

LORD ORANMORE AND BROWNE would not, then, pursue the point further; but he thought the noble Lord even objected to the principle upon which Trinity College was now carried on, which, he believed, was entirely undenominational, everything in that College being perfectly open to every person of every class and creed. The noble Lord was perfectly aware that the Roman Catholic clergy had been long fighting in Roman Catholic countries to get education into their own hands; and in almost every country it had been taken out of their hands and given into the hands of the people. He would ask the noble and learned Lord on the Woolsack, who had, no doubt, considered the matter, whether there were not rather too few paid Commissioners? It had often been thought that the accusations of Party partiality amongst the Commissioners of National Education would have been got rid of if there had been a certain number of paid Commissioners. They were all aware that there had been sudden increases in the number of Commissioners appointed; and it certainly had appeared to the public that that had only been for the purpose of carrying out certain Party views of the Government for the time being. Then, in Section 3 of the 5th clause, a part of the duty of the Commissioners was to provide payment for the managers of schools complying with prescribed conditions. He did not know who the managers were to whom those payments would go. It appeared to him that in any of these schools the payments ought to go to the person teaching. That would be, he supposed, the head-master of the schools in question. Then, with regard to Clause 7, he thought it would be better to get rid of that altogether. He considered that undenominational education in the National Schools was an absolute necessity, if any fairness or justice was to be maintained with regard to the minorities that existed in Ireland. There were at present no fewer than 20,000 Protestant children scattered through Roman Catholic schools in Ireland; and if the system of education was made denominational, they would, of course, be excluded from the benefit of the National Schools. That was quite sufficient reason, without going further, for the undenominational system being maintained. Clause 7 was really not of much importance, except as an encouragement to the schoolmasters; because, looking at the Schedule, he saw that every Irishman of a certain age was open to offer himself for examination, the only condition being that he had been educated in any place in Ireland for a period of 12 months. If that was the case, he thought the 7th clause was put in to ensure the principle being carried out, when the promise was made, that none of the property resulting from the residue of the Church funds should be devoted towards any denominational system. He confessed that without it no such appropriation could occur. The Commissioners would have no schools of their own, but would merely offer premiums and examine those who came forward. He thought that this was a very fair proposal, and one to which there could be no objection. Every Irishman would be glad that any of his countrymen who were well educated should be able to get these fees, utterly irrespective of class or creed. Now, there was another point to which he would call the noble and learned Lord's attention. Section 4 of the 6th clause was to define the subjects and nature of the examinations. This would bear a very broad interpretation, and he thought it desirable that it should do so; for what was wanted—and it was wanted, perhaps, in England as well as in Ireland—was a more practical education. Intellectual education was an excellent thing; but he did not know that if it were carried too far, without being applied to those pursuits in which a man's life was to be spent, it might not become an injury. We might educate children and bring them up as if they were to get their living by education alone; whereas, do what we would, the majority of men must live by the sweat of their brow. He thought, therefore, that, if it were possible, it would be most advantageous to extend the subjects of examination even to agriculture and different trades. Their Lordships were probably aware that in Prussia every man was obliged to learn a trade, whatever else he might learn, from the Prince Imperial downwards; and as they had sought their examples for education from that country, they should not overlook this part of it. He had one more point to which he wished to ask the attention of the noble and learned Lord. He saw that in the Schedule the National teachers were excluded from the results fees under this Bill. He supposed the reason for that was, that they already received results fees in the National Schools, and could not be entitled to receive them twice. That was, he thought, an insufficient reason; and it was unfair to the teachers, who were certainly very useful members of society, that it should be left to them to eliminate such boys as were going in for the higher awards, rather than be allowed to send them forward to get results fees under this Bill.

Lord EMLY wished to add a few words to what had been said by two noble Lords near him with regard to this Bill, which was one of very great interest on the matter of Intermediate Education in Ireland, and he hoped it might become law this Session. He should have been sorry to have allowed the second reading of the Bill to pass without saying a few words upon it, and thanking the noble and learned Lord on the Woolsack for having introduced the measure. Indeed, the only part of the speech of the noble and learned Lord which appeared to him in the slightest degree liable to exception was, that although the language he used was strong, he did not adequately describe the terrible evils which had been produced by the present state of things. It would, perhaps, be not out of place to say a few words on those evils. Out of every 100,000 of the inhabitants of Scotland 371 were receiving education in endowed intermediate schools; out of the Protestant population of Ireland 199 out of every 100,000 received this education in endowed intermediate schools. How many Roman Catholics received their education in the same way? Only two of every 100,000. This state of things arose from the unhappy legislation of former times, as his noble and learned Friend had said. At the time endowments were allowed to be enjoyed by Scotland and the Protestants of Ireland no Catholic endowments were permitted to be given. Who were the people who were now suffering from that condition of things? Why, they were that class of people who especially required Intermediate Education. They were, generally speaking, the farming classes in Ireland. As the noble Earl, his noble relation, stated the other day, the quantity of land in Ireland was limited, and the number of people who were desirous of getting farms was very much greater than the number of farms that could be provided for them. The consequence was, that there was a vast number of the sons and brothers of comparatively wealthy farmers who really had no means of supporting themselves; and unless they could find some means of supporting themselves, they would continue what, unfortunately, they were at the present moment—the most discontented, and, he was afraid, the most disloyal and dangerous part of the population of Ireland; because, although they knew enough to be able to read the newspapers, they had not received an education which would enable them to get on in life, and in this respect they were behind similar classes in England and Scotland. If their Lordships only looked to this great city, he believed they would find that for every 100 Irishmen employed as clerks in public offices, banks, and other institutions, there were, at least, 1,000 Scotchmen. Why was that? As the noble and learned Lord had pointed out, it was not from any defect in intelligence on the part of the Irish people, for when they had the opportunity of being properly educated they could hold their own with the English and Scotch. The sole reason was because they had not the same opportunities of obtaining a liberal education as were enjoyed by those with whom they had to compete for such situations. If they looked to the Colonies, they would find exactly the same results following from the same cause. Sir Charles Gavin Duffy, who had been twice Speaker of the Legislative Assembly of Victoria, and who had had immense opportunities of observing what actually took place with regard to Irishmen going to that country, had written him a most interesting letter on this subject. He would not trouble their Lordships by reading it; but he would observe that Sir Charles Duffy stated that a great number of Irishmen who went out to Australia, chiefly belonging to the middle class, were men of bright natures and bright intelligence; but on account of the want of education amongst them they had, in fact, to become hewers of wood and drawers of water, and, as compared with the Scotch and American, they entirely failed in the battle of life. Scotchmen and Americans, simply because they went out better educated, earned considerable livelihood, and rose far above the Irish immigrants in the social scale. It was not merely in the Colonies that this state of things prevailed. Any one of their Lordships who was acquainted with Ireland must have seen precisely the same thing in Ireland itself. Only the other day an institution with which he was connected in Limerick required a first-class scientific master. They put an advertisement in the newspapers, and about 20 people offered themselves for the appointment. The Committee—a most impartial one, including both Protestant and Roman Catholic Bishops—had to select the three fittest candidates, and every one of the three they had to select was a Protestant. The mode of appointment of Inspectors under the Irish National Board of Education arose from the same causes. Whenever there was a competitive examination for the office of Inspector, Protestants only competed for a Protestant vacancy and Catholics for a Catholic vacancy. That was done for the simple reason that the deficiency of education amongst the Catholics was such that, with open competition, all the Inspectors would be Protestants. These things must make them feel the absolute necessity of passing, as soon as possible, some such measure as that now before them, and relieving the Roman Catholics of Ireland from the degradation under which they were now suffering. The only thing for them to do was to urge the Government to press on this measure with the least possible delay. It was not a question whether this was, in the abstract, precisely the system which their Lordships would prefer as the best. Some might like to have seen something more done in the way of utilizing existing endowments for education in Ireland; but he was not going to advocate the delay of this great boon for a whole generation, as they would have to do if they were to go into this question of endowments. Many persons might ask why they did not use this large sum of money for the purpose of building and establishing schools? The answer to that was simple. Were these schools to be denominational or undenominational? He had had some experience of the House of Commons, having spent some of the best years of his life there; and he was sure they might as well try to get a stream to run backwards as to get the House of Commons to vote money for denominational schools. But with regard to undenominational schools, they would have no pupils. He could mention a most remarkable case. His noble Friend near him, when Lord Lieutenant of Ireland, had sanctioned the appointment of a Roman Catholic master to the Royal School of Banagher. That was the first Roman Catholic master that had ever been appointed to that school. What had been the result? Up to the time that the Roman Catholic master was appointed, every single boarder in the school was a Protestant; but from that time every single boarder had been a Roman Catholic. That showed pretty clearly what they might expect; and, therefore, really it seemed to him that there was no other system, except the self-working system, which it would be possible to carry. With regard to endowments, he believed the way to prevent them from leading to idleness and want of exertion was to use them in such a manner that the proceeds could only be acquired by exertion on the part of those who were to get them; and, therefore, in his opinion, the system proposed by the Bill was not only the only possible system, but the best possible one. He earnestly trusted that the Government would consider the magnitude of the evils which this Bill was intended to meet, and that they would without delay press it forward through all its stages. If they did so, they would confer an enormous boon on Ireland, and earn the gratitude of the whole population; and certainly this Session of Parliament would not have been unfruitful if it conferred on that country those educational means and opportunities which would enable them to enter on the battle of life on equal terms with their fellow-subjects in the rest of the Kingdom.

Earl SPENCER said, he would not detain their Lordships by any lengthened observations on the important subject before them, or by making many remarks on a Bill which had elicited a chorus of general approval from both sides of the House. But he could not help saying how sincerely he trusted that this measure, so full of good principles, might bear excellent fruit and prove successful in encouraging and increasing Intermediate Education in Ireland. While this general approval had been given to the system proposed in the measure before them, the institutions which already existed in Ireland had, he thought, been a little lost sight of. It was for that purpose that he rose to follow up a remark made by a noble Friend of his on the opposite side of the House, and to ask the noble and learned Lord on the Woolsack whether he would give them some further information on a subject to which, in "another place," reference had been made? He thought that, however much might be done by this Bill, it was necessary that additional powers should be given to those bodies in Ireland who were unable to reform themselves, or to those Commissioners who had the power to carry out reforms in different parts of the country. The Report of the Commission of 1858, which had been referred to, was of very great importance, and contained some very valuable suggestions. Anybody who looked at that Report would see how very unsatisfactory was the state of many of the educational endowments of Ireland, and that no power existed of improving them or of dealing with the estates under those who had the management of the endowments. The Commissioners who were established for the purpose of making reforms had totally inadequate power to deal with the vast questions which were brought before them. The body called the Commissioners of Education in Ireland had not even the power, neither had they the funds, to appoint an Inspector to go round to the schools. There were not large endowments for the purposes of Intermediate Education in Ireland; but, still, those endowments which did exist ought not to be lost sight of, and a great deal might be done in different localities by investing the Commissioners, who already existed in Dublin in connection with the Royal Free Schools, with larger powers.

Lord DUNSANY said, there seemed to be such a general assent in favour of the principle of the Bill that it was almost useless to say anything further about it. There were, however, one or two matters to which he should like to refer. This Bill seemed to say to the people of Ireland—"We have tried to please you before, and we have failed. Now you may please yourselves, and to assist you to do this we will give you a million of money, but we shall not interfere with you as to what teachers you select, or how you teach. We shall simply look at the manufactured article when it is finished, and not while it is in the process of being manufactured." That was the principle of the Bill, and he was not sure that they would not create a difficulty by deciding to shut their eyes. There would be a great responsibility upon them, even with their eyes shut; and he regretted that he could not see much provision in the Bill about inspection, which was a very important matter when they were going to spend £1,000,000. He did not use the word "inspection" in reference to the vexed and angry religious question; because he could fancy greater danger and evil than the fact that a school was conducted by a Roman Catholic priest. He could imagine some Roman Catholic priests inculcating loyalty, but there were others who might teach disloyalty; and that was an important matter, in respect to which their eyes ought not to be shut. It was the duty of the Government to look into these schools, not at all from a religious point of view, but to see what was otherwise being taught in them. History was to be one of the things which was to be taught. Well, he should like to know what history? Was it to be really English history, or English history from an Irish point of view? There was some Irish history which would teach nothing but disloyalty to the young men of Ireland. They were going to give large sums for proficiency in these schools, yet they might find the pupils well up in events which had not occurred. Some of the text-books which might be used in these schools might be a greater injury to the Commonwealth than the ignorance of the people. Ignorance was a danger, but systematic disloyalty, inculcated in school-books and newspapers, was a greater danger; and he did not wish to run any risk of a perfectly disloyal education creeping into these schools, which were to be subsidized by the Government. The provision in the Bill which constituted a Board of seven members, appointed by the Lord Lieutenant, was, he thought, a very reasonable and desirable one. In the 3rd clause it was enacted that the Assistant Commissioners should also act as Secretaries, and, when required, as Inspectors. From the use of the words "when required," it would appear as if inspection was looked upon as something contingent. Did the words "when required" mean that there was only to be an inspection when glaring irregularities were discovered? In his opinion, there ought to be more provision than that for the inspection of these subsidized schools. In the speech from the Woolsack, when this Bill was introduced, the noble and learned Lord (the Lord Chancellor) declared one of the conditions of payment to the schools was to be that there should be a minimum number of scholars. That was a very practical and very proper declaration on the part of the noble and learned Lord, because there were the strongest possible reasons why these rewards should not be given to very small schools, where there was the most limited attendance of scholars; but in the Bill he did not find there was any provision whatsoever as to fixing a minimum number of scholars. It was provided in the Bill that such other subjects as the Board might, from time to time, prescribe should form part of the general system of education. That was a very excellent provision, and he quite agreed in some remarks which had been made as to the desirableness of something practical being taught in the system of education. Allusion had been made to the success in life of Scotchmen as compared with Irishmen, and from his naval experience he was able to say that Scotchmen, as a rule, seemed to be always lighting on their legs, while Irishmen were always getting into the wrong groove, and going from bad to worse. This did not arise from any inferiority in the Irishman; but it was due to his want of education, as compared with the Scotchman. There was another provision of the Bill which said that one of the conditions of the examinations should be that the proficiency which was obtained should have been obtained in Ireland, and that the candidate should have spent the previous 12 months in Ireland. Now, Ireland might be a very pleasant country to live in, though some people said it was better to live out of it; and supposing a young man had acquired competency in education in England, he did not quite see why he was to be excluded from the benefits of this Bill. He would have learnt one thing in England, which probably he would not have learnt in the course of his education in Ireland, and that was loyalty; and altogether he would have larger general views. In conclusion, he begged to express a hope that he had not said anything which was likely to offend the susceptibilities of any of their Lordships who were Irish Roman Catholics.

Viscount MONCK said, there was one point in the Bill regarding which he felt very strongly, and that was the 7th, or Conscience Clause. It appeared to him this was altogether an illogical clause, and had no reason to be in the Bill at all. The noble and learned Lord (the Lord Chancellor), in introducing the Bill, said it was the intention of the Government to pay for the manufactured article. Now, by this clause, he considered they would very much interfere with the process of manufacture; and it might cause considerable vexation in Ireland. The clause was almost identically the same as that which was insisted upon in the system of Primary Education in Ireland, without the same necessity for it; and it would be an interference with the intermediate schools which was not at all called for. In the case of the primary schools, it was the only possible way to get the children instructed; but there was no good reason why the system should be extended beyond the primary schools. With this exception, he must pay his contribute of thanks to the Government for having introduced this Bill, which he trusted would soon become law, with such alterations as their Lordships might deem necessary.

Lord INCHIQUIN expressed his approval of the Bill; but he hoped the noble and learned Lord (the Lord Chancellor) would re-consider the question of the Conscience Clause, which he did not think ought to be in the Bill. He thought its omission would meet with the approval of both the Protestants and the Catholics in Ireland.

The LORD CHANCELLOR: My Lords, by favour of your Lordships I was allowed, on the introduction of this Bill, to state fully the views of Her Majesty's Government on the question of Intermediate Education in Ireland, and the principles upon which they desired this Bill to be framed, and I certainly should not, on the present occasion, think of repeating anything which I said at that time. I shall rather, in a few sentences, endeavour to answer the questions which have been directly put to me in the course of this debate. I must, however, in the first place, say I have heard with most sincere satisfaction the very kind way in which this attempt to deal with the great subject of Intermediate Education in Ireland has been received; and from the manner in which it has been spoken of in your Lordships' House and beyond it, I cannot but augur well for the future of the Education Question in that country. It appears to me that the great leaders in Ireland have placed in abeyance their own particular views of what, in the abstract, is the best kind of education for Ireland; and, putting those views aside, they look upon this Bill as an honest and practical endeavour to deal with the subject of Intermediate Education. It is suggested that it is an undue restriction on the condition of examination that the pupil should have resided for the 12 months previously in Ireland; and the noble Lord (Lord Dunsany) asks why pupils from England should not have the benefits of the exhibitions? Well, the simple answer to that is that this is a Bill to encourage Intermediate Education in Ireland, and it would not be doing that were you to allow English youths to come over to Ireland and take the rewards which are offered. I have been asked why it is that the National School teachers are to be excluded from the results fees? Now, I wish to speak with all respect of that meritorious body, and of their excellent work; and I wish them to be paid in a way which shall be commensurate to the services they perform; but it would be bad economy on the part of the State to pay these teachers, on the one hand, for giving primary education, and, on the other hand, to induce them to give a higher class of education. That would be, virtually, asking them to serve two masters, and the result would not be satisfactory. My noble Friend also says he thinks there might be other subjects for examination besides those specified in the Bill; but he will find the last heading of the various subjects for examination is so worded that any additional subject thought desirable may be added by the Commissioners. He further says that the payments ought to be made, not to the managers of the school, but to the teachers; but if the teacher is not the manager, he is a servant of the manager, and the Commissioner must deal with the principal. It would be quite idle for it to be otherwise. Then, it has been asked why there should not be paid Commissioners in place of an unpaid Board? Her Majesty's Government have duly considered that matter, and they have come to the conclusion that it is unnecessary to have a paid Board. There will be two Assistant Commissioners, who will perform the functions of Secretaries; and it does not appear to the Government that there would be a justification for a staff of paid officials over and above the two described in the Bill. Then I was asked what these Assistant Commissioners are to be, and whether they will be co-ordinate with the Commissioners? The Assistant Commissioners will not be co-ordinate; they will be inferior to the Commissioners, as their name obviously implies. Allusion has been made to inspection, but we do not want a general inspection of the schools. We do not undertake a responsibility of that kind; but there are certain things mentioned in the Bill—conditions as to the number of pupils and the attendances—as to which it may be necessary to have some limited inspection, and so far as it is necessary that duty will be performed by the Assistant Commissioners. Then, an observation has been made about the Examiners, and their yearly appointment. I quite agree it would be very undesirable to have a clean sweep of Examiners every year, and that is not proposed in the Bill. The only provision on the subject in the Bill is in one of the rules in the Schedule which deals with the qualifications of the Examiners. We propose, however, that every year a list is to be published, from which the Examiners for the year are to be chosen. There is nothing whatever to prevent the same persons, or any number of them, from being continued Examiners year by year; and no doubt, in order to preserve continuity, a good many of them will be continued in office year by year. I have been asked a question as to what is to be done in the Bill in regard to the Commission which the Government is about to appoint on the subject of the Endowed Schools? What I said on a former occasion was, that the Government has announced, in the other House of Parliament, its intention to appoint a small Commission of Inquiry into the management of the property belonging to the Endowed Schools in Ireland. I do not in the least deprecate—indeed, I am anxious for any change which can be made in the management of the Endowed Schools in Ireland to serve the purposes of the scheme proposed by this Bill; but I think it would be unadvisable to hang up this question till that is settled, and I sincerely trust Parliament will not mix up that question with the present measure. No doubt, it is very desirable that something should be done in regard to the Endowed Schools of Ireland; but that is a small matter when compared with the whole question of Intermediate Education. On the last occasion, I stated to your Lordships that the total landed property, including buildings, belonging to these Institutions is £13,000, and of this sum £7,250 represents the open, and the remaining £5,750 the close, Endowed Schools. Then, the noble Viscount (Viscount Midleton) has objected that the ages are not low enough, and that younger boys ought to be admitted than those of 16, 17, or 18; but the ages to which my noble Friend has referred are the maximum ages. Any boy may be allowed to pass the examination who presents himself, and who is able to satisfy the Examiners, provided his age does not exceed those limits. As regards the examinations in natural science, my noble Friend has expressed a doubt whether the examinations on that subject will succeed. I should be sorry in any way to imply that it is not a fit subject for examination; but I will point out that a choice of subjects is given, and that no one of them is compulsory. The only other observation I have to make is on the subject of the Conscience Clause. I have no desire to go into the general question at this time; but I am quite ready to admit that the question has a different aspect when we are considering it in relation to primary, to when we are considering its connection with intermediate schools. There are obvious differences. In primary schools we have to protect children who stand much more in need of protection; and, whereas intermediate schools are nearly always boarding schools, the primary schools rarely, indeed, are more than day schools. In regard to the language of Clause 7, some noble Lords have said that the clause is transferred from the rules for primary schools in Ireland, and another noble Lord has said the clause is almost in the words used by the National Board. That is a mistake. I believe it is transferred almost verbatim from the corresponding clause in the Endowed Schools Act for England. That is, however, a question for consideration when we come to consider the details of the Bill in Committee. I have only to repeat my thanks for the manner in which the Bill has been received, and to express a hope that your Lordships will allow the Committee to be taken on Tuesday next.

Motion *agreed to;* Bill read 2ª accordingly, and *committed* to a Committee of the Whole House on *Tuesday* next.

House adjourned at a quarter before
Eight o'clock, to Monday
next, Eleven o'clock.

HOUSE OF COMMONS,

Friday, 28*th June*, 1878.

MINUTES.]—Public Bills—*Select Committee —Report*—Ecclesiastical Buildings (Fire Insurance) [No. 253].

Committee—Highways (*re-comm.*) [214]—R.P.

Committee — Report — Metropolis Improvement Provisional Orders Confirmation (Bowman's Buildings, Marylebone, &c.) * [217].

Third Reading—Elementary Education Provisional Order Confirmation (London) * [201], and *passed.*

The House met at Two of the clock.

QUESTIONS.

INDIA—THE SALT TAX.

QUESTION.

Mr. A. M'ARTHUR asked the Under Secretary of State for India, Whether his attention has been directed to a letter of a correspondent in the "Daily News" of June the 26th, headed "The Salt Tax in India;" whether there is any foundation for the allegation that the Indian Government is secretly pressing the native states to level up the Salt Taxes to our standard; and, whether there is any foundation for the statement that the Indian Government is urging one large native state to give up or forbid the cultivation of opium in its territory?

Mr. E. STANHOPE: Yes, Sir, I read the letter in question; but we have no information whatever at the India Office as regards the statement about opium. As regards the salt tax, we are aware that the Government of India is negotiating with the Native States of Rajpootana and Central India for the abolition of the Customs Line. These negotiations, which are rapidly approaching completion, are described by Sir John Strachey as being intended to give to all the people throughout India, at the cheapest rate consistent with financial necessities and with the least possible inconvenience, as much salt as they can consume.

PEACE PRESERVATION (IRELAND) ACT—HOUSE SEARCHES.—QUESTION.

Major NOLAN asked the Chief Secretary for Ireland, If in Ballinasloe the houses of Mr. Matthew Harris, and of Mr. Michael O'Sullivan, were visited by police at 3 a.m. on the 14th June, and a search made for arms; whether at the time of this search Mr. Harris had a licence to keep and to carry arms in an adjoining district; whether at the same time a search was made for documents in the above houses; and, if so, whether instructions were given that private documents and business letters should be examined by an ordinary constable; if the persons who supplied the information on which the search warrants were issued by the Lords Justices had made known to the Lords Justices the facts that Mr. Harris was secretary to a tenant's association, and had lately in that capacity been summoned to give evidence before a Committee of this House now sitting on the land question; if the Lords Justices were not so informed, can he state if any explanation has been assigned why these facts, notorious in the district, were not brought under their notice when their signatures were obtained; and, whether the police were instructed to inspect on the warrant granted any strictly legal communications addressed to Mr. Harris in his capacity as secretary or as a witness before a Committee of this House on the land question?

Mr. J. LOWTHER: Sir, although the hon. and gallant Gentleman kindly gave me private Notice on Monday night of his intention to ask this Question yesterday, I am sorry to be unable as yet to give him an answer, and must ask him to be so good as to postpone it till a later day. As I was obliged to adopt a similar course with regard to a Question of a like kind put to me the other day by his hon. Colleague (Mr. Mitchell Henry), who appeared to be unaware of the necessity for what occurred, I wish to explain how matters stand with reference to such Questions. I forwarded the hon. and gallant Gentleman's Question to Dublin by Tuesday's post, and I yesterday received by return of post a reply, to the effect that it had been found necessary to call for a special Report from the local constabulary respecting some of the details inquired about; which, of course, involves a delay of a few days, but I hope I shall receive it on Monday. I mention these facts, because hon. Members may not always realize that such a course is unavoidable in cases where a reference is called for to distant places for information which can only be supplied upon the spot.

COLLECTION OF RATES (DUBLIN)—REPORT OF THE COMMISSION.

QUESTIONS.

MAJOR O'BEIRNE (for Mr. GRAY) asked the Chief Secretary for Ireland, On what date was the order given to the Government printer to print the Report and Evidence of the Collection of Rates, Dublin, Commission?

MR. J. LOWTHER: Sir, I am sorry to be obliged to give a somewhat similar answer to this Question as I had to make to the one put to me just now. I received a telegram yesterday from the hon. Member for Tipperary (Mr. Gray), kindly giving me Notice of the Question, and I forwarded his telegram by last night's post to Dublin, requesting a telegraphic answer to be sent to me, which, however, I have not yet received. The hon. Gentleman's Question is altogether upon a different footing from the one I was alluding to just now, as no inquiry outside Dublin apparently would be requisite; but I state the circumstances, so that it may be seen exactly how the case stands.

MAJOR O'BEIRNE (for Mr. GRAY) asked the Chief Secretary for Ireland, Whether any appointment to the collector generalship of rates, Dublin, will be made before the House has an opportunity of discussing the Collection of Rates Bill?

MR. J. LOWTHER: Sir, ascertaining that serious public inconvenience was likely to arise from delay in taking action upon the question of the Collector Generalship of Rates, I addressed a communication, under date of June 17, to Mr. Moylan, requesting him to tender his resignation. The choice of a successor has since occupied the attention of the Government, and as soon as the usual formalities have been complied with, the new Collector General will enter upon his duties. As considerable interest is taken by some hon. Members in the matter, I may mention that the gentleman selected for the appointment is Mr. John Byrne.

NAVY—TRAINING SHIPS (IRELAND).

QUESTION.

MAJOR O'GORMAN asked the First Lord of the Admiralty, Whether it is the intention of Her Majesty's Government to establish in Ireland ships for training Irish lads and boys for the use of Her Majesty's Navy; and, whether the Flag-ship in Cork Harbour could not advantageously be used for the purpose named?

MR. A. F. EGERTON: Sir, at present the supply of boys for the Navy is greater than the demand. By the existing regulations the sons of men serving in the Coastguard, district ships, other vessels on the Irish coasts and in the Irish constabulary, also the sons of naval, military, or civil pensioners in Ireland may be entered; but it is not considered necessary at present to establish training ships in Ireland.

BUSINESS OF THE HOUSE—LOCAL COURTS OF BANKRUPTCY (IRELAND) BILL.—QUESTION.

MR. MELDON asked Mr. Attorney General for Ireland, When he intends to bring on his Motion for the Second Reading of the Local Courts of Bankruptcy (Ireland) Bill; and, if he cannot fix any date, whether he will fix a date before which he will not seek to proceed with the measure?

THE ATTORNEY GENERAL FOR IRELAND (Mr. GIBSON): Sir, having regard to the present position of Public Business, I am unable to fix the precise date when I expect to take the second reading of this Bill. I will take it on the first opportunity; but I may add, for the convenience of hon. Members who are interested in the subject, that I do not expect it will come on during the coming week, and, therefore, I shall not attempt to take it before Monday, the 8th July.

ORDERS OF THE DAY.

HIGHWAYS (*re-committed*) BILL.

(*Mr. Sclater-Booth, Mr. Salt.*)

[BILL 214.] COMMITTEE.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."—(*Mr. Sclater-Booth.*)

MR. J. R. YORKE, in rising to move, as an Amendment—

> "That this House regrets to find in the Highways Bill, as now proposed to be re-committed, no adequate provision for obtaining from those classes whose traffic most conduces to the wear and tear of the main roads in England and Wales, some proportionate contribution towards the maintenance of such roads; and that, in the opinion of this House, no settlement of this question can be final or complete which does not include such provision,"

said, that the history of the Highways Bill of this Session had been a very peculiar one. At the beginning of the Session a Bill was introduced which was described by the President of the Local Government Board as an omnibus Bill, and which practically contained no principle except that of union chargeability for Highway Boards. If that Bill had followed the usual course, there would have been no necessity for considering it at any length either in Committee or afterwards. But in the course of the Session the whole policy of the Government had undergone re-consideration. On coming down to the House one day, he found that there had been a general transmigration of clauses from the County Boards Bill into this measure, the County Boards Bill was not to be proceeded with this Session, and the Highways Bill, as amended, was to be pressed on the House. Under these circumstances, the matter had assumed a different aspect, and it now became necessary to consider seriously what would be the effect of the Bill so amended. One might as well expect the restoration of the Heptarchy as of turnpike tolls; but there was at least this to be said in their favour, that they made the people who used the roads pay for them. The old system of turnpikes was, he maintained, good in principle, because it involved a direct payment for the benefit of the general community; but, on the other hand, it was bad in practice, because it involved a good deal of annoyance to the public. But to abolish turnpike tolls without directly taxing in some other way those who now paid them, would be to grant a great relief to some classes at the expense of the general community, and a mere re-adjustment of machinery for such purposes could not be considered as a satisfactory settlement of the question. In 1876 his right hon. Friend brought in a Bill to deal with the question, and he very much preferred that Bill to the one which had been introduced this year. The Bill of 1876 dealt more fairly with the average traveller than any other measure that had been proposed, while it afforded a certain amount of alleviation of the grievances the ratepayers would otherwise suffer from. He understood that his right hon. Friend the President of the Local Government Board relied principally upon the extraordinary traffic clause in the Bill to mitigate the undoubted grievance under which the ratepayers would suffer after the abolition of turnpikes. He might say that the Scotch Members were satisfied with that clause in their Roads and Bridges Bill. He (Mr. J. R. Yorke) admitted that generally the Scotch made pretty good terms for themselves in that House as elsewhere; but they must remember that the Scotch occupier was in a very much better position than the English occupier. The former only paid half the rate, and under the Roads and Bridges Bill the assessment for debts on roads and the payment of interest would fall upon the owner. There were several ways in which the inequalities which would come in operation if turnpikes were abolished might be mitigated. If the Government had passed the County Boards Bill, and established a proper authority to administer any funds paid over to them from the Imperial Exchequer, they would be in a much better position to deal with the question. The system of graduated rental which prevailed in Scotland might, for instance, be adopted. So well had that system worked that the Scotch Poor Law Amendment Act of 1866 proposed to make it compulsory. That Act contained an exceedingly stringent clause, giving the sheriff powers to assess exceptional businesses which carried on exceptional traffic. The principle embodied in that was not entirely new, for the germ of it was to be found in English legislation. All the less difficulty, therefore, would be experienced in adopting, or, rather, adapting it. Some people would not be satisfied with less than one-half the amount of the expense of the rates being paid out of the Consolidated Fund. He was not prepared to go so far as that. He did not wish to see the principle of grants in aid from the Consolidated Fund extended any further, because it had a tendency to centralization and to weaken local authority. It had been suggested by his hon. Friend the Member for Wiltshire that local licences should be granted for local purposes. He did not see why we should not have a graduated scale of licences according to the damage likely to be done to the roads. A gentleman of great experience, who for 20 years had been the principal manager of the South Wales turnpike roads, in which six counties were combined, had given evidence to the effect that those who kept horses and carriages should not be placed on the same footing as those who did not. He therefore suggested that the licences for those who kept horses and carriages should be increased 20 per cent, or to such other amount as might be thought necessary; and he added that to abolish tolls, unless the parties who now paid them were taxed directly in some way or other, was granting a great relief to a small section at the expense of the general public. That was his whole case. He thought the best settlement would be that the main roads should be laid entirely on the county fund, that the Quarter Sessions should be added as a contributory area, and that the rates should be supplemented by increased local licences for carriages. His fear was that we should have a sham settlement on the plea that something must be done. There was a widespread idea in the county to which he belonged that the Government had no really comprehensive scheme for adjusting the contributions which ought to be made by the different classes of the community. Unless that was done no measure would be complete. He begged to move his Amendment.

SIR BALDWYN LEIGHTON, in seconding the Amendment, said, he hoped the right hon. Gentleman would see his way to accept it. He could not believe that the Government, which had already relieved the burdens of the local ratepayers, would be deaf to the representations which had now been made to them. The point to be borne in mind was, that it was proposed by the Bill to throw on the rural ratepayers, only a fraction of the community, charges which ought in fairness to be borne by a larger area. The amount of taxation that fell on the rural taxpayer was excessive. He ventured to say that the rural taxpayer paid something like 30 per cent more than any other taxpayer, while most of the money was applied to general, and not local, purposes. There was tithe and rates equal to about 5*s.* in the pound; then there was land tax and education tax, equal to another 1*s.* in the pound. Hon. Members were accustomed to consider tithes as an immemorial rent-charge; but that was a mistake. It was paid partly and chiefly as poor rate. It was a trust with a distinct purpose and object. The trust had been broken, and the money, to a great extent, alienated from its purpose; but the object remained. He did not suggest any present alteration—at least, not until the right hon. Gentleman the Member for Greenwich came down there to propose that the time had come to disestablish the Church of England. Whenever that time arrived, there might, perhaps, be something to be said. Now, as regarded these turnpike roads, it would not be correct to suppose that they were merely local highways. They were used frequently for heavy through traffic. As to the practical solution of the question, his hon. Friend had suggested one or two solutions. He talked of a Government grant; and this might be the simplest way. If the Chancellor of the Exchequer were present, no doubt, he would say, "No, no," to this proposal; but the amount that would be required would not be very much. A quarter or half-a-million would be all that would be required. It would be quite possible to raise this sum out of the assessed taxes, or it would not come to half a farthing of income tax; but there were hon. Members who were quite willing to propose some contribution to this object who would not be disposed to throw it on these funds. The hon. Member for East Gloucestershire rather pointed to local licences; and this, perhaps, would be the most practical mode of meeting the question. He thought some of the smaller licences, the dog tax, and the gun tax, might be handed over to local bodies. He believed those taxes would be better looked after by the local authorities than by officers representing central authorities. They had heard yesterday of 17,000 prosecutions for dog licences. If the tax were handed over to the local authorities, they would be considerably reduced. Reference had been made to the inclusion of boroughs in the county areas, but he did not think that arrangement would amount to any adequate relief. He might refer to the case of South Wales, where of a total of £78,000, £75,000 was raised by tolls and £3,000 only raised by rates. The cases of Scotland and Ireland did not bear on the subject; but in neither case was the expense thrown on the highway district. In Ireland the barony or the county had to pay, and in Scotland the expense also fell upon the county, and not upon the smaller districts, or what were called highway districts; and there was the precedent of Glasgow for charging a portion of this burden upon other property. He hoped the Government would take this question into consideration, and that his hon. Friend would then consent to withdraw the Amendment.

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "this House regrets to find in the Highways Bill, as now proposed to be re-committed, no adequate provision for obtaining from those classes whose traffic most conduces to the wear and tear of the main roads in England and Wales, some proportionate contribution towards the maintenance of such roads; and that, in the opinion of this House, no settlement of this question can be final or complete which does not include such provision,"—(*Mr. Reginald Yorke,*)

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

Sir JULIAN GOLDSMID said, they had just listened to a speech on local taxation of a much too wide and general character to be applicable to a Highway Bill. His hon. Friend the Member for East Gloucestershire (Mr. J. R. Yorke) said that, in the opinion of the House, no settlement could be final or complete which did not include the provision he desired, but it might be added, that, even if the Bill did include this provision, it could not be regarded either as final or complete. Of all the questions which were brought before that House, the one that varied most, according to the circumstances of the day, was that which was connected with our local life. He considered that the Bill was a very useful one, its main principle being the simplification of highway management; and it also settled other points on which simplification was very much desired, and for which it was right the President of the Local Government Board should legislate. The Amendment related only to one clause, and could be better discussed in Committee. He hoped that the Amendment would not be pressed, and that the House would go into Committee on the Bill without further delay.

Mr. SEVERNE supported the Motion. In former times, when the main roads were turnpike roads, the cost of their maintenance was borne by those who used them, and he, for one, should not be sorry to see the old system reverted to; but, in the absence of that, he thought the ratepayers in the country districts were entitled to receive some assistance from the Consolidated Fund. This would be only fair; it would be no particular hardship upon any class, and would, he believed, meet the views and wishes of the country ratepayers. But, beyond that, there was still the question of the enlargement of the area over which the rating for the purposes of the Bill should be taken. That was a question well worthy of the attention of the Government, and he hoped it would be duly considered. There should be also, in his opinion, a tax on carriages or wheels, so as to compel, to a greater extent than was at present the case, those who used the roads to pay for them. He thought the Amendment expressed the feeling of the country, and he believed that any act dealing with the highways would not have the slightest chance of going on for a moderately long time unless something were done to assist those people who, only sharing in the value of the roads, yet had the whole burden of their maintenance thrown upon their shoulders.

Colonel KINGSCOTE agreed with the Amendment, and contended that the Bill did not grapple with the main question. He thought it was hard upon the inhabitants of small parishes to compel them to maintain entirely at their own cost roads which were really of little or no use to them as individuals. As a matter of fact, the Bill in the form in which it was before the House was a mere piece of patchwork. Let the measure be thoroughly thought out, and let it cover the whole area of the question. He did not think the country districts wanted any help from the Consolidated Fund; but they could have local licences, like a wheel licence, and he did not think his friends, the farmers, would quarrel with a wheel licence. What the farmer did not like was that a number of people should use the roads to a great extent and not pay for them. In his part of the country there were two or three timber merchants, one employing 20 or 22 horses, and another employing 15, always working on the roads. Neither of these men were rated at more than £70 a-year, while many of the farmers might be rated at £700 or £800 a-year, and the farmers did not use the roads one-tenth part of these timber merchants. Now, that was not right. Why not grapple with the whole question in another Session, and let the country have a comprehensive measure?

Mr. WHEELHOUSE said, there was also a township in Yorkshire through which a heavy stone traffic passed, cutting up the roads. The township received little or no benefit for that traffic, and he wished to know if Clause 18, or any other clause in the Bill, would prevent the whole expense of maintaining the roads from falling upon that township alone?

Mr. CHAMBERLAIN said, that, so far from agreeing with the arguments of the hon. Member who had proposed this Amendment, he thought, on the contrary, that boroughs ought to be relieved of a great deal of the taxes which at present pressed upon them, and for which no good reason could be shown. There were three classes of boroughs—first, those which were under urban sanitary authorities, who had no Quarter Sessions of their own, and with respect to these it appeared to him that the proposals of the Bill were fair, because it acknowledged a reciprocal obligation. Second, there was a class of boroughs which, having Quarter Sessions of their own, were not required to contribute to the county rate, and in their case also he considered there was no objection to the proposals of the Bill. But there was, third, a class of boroughs such as Birmingham, which, although they had Quarter Sessions of their own, were obliged to contribute to the county rate. They were asked to pay one-half towards the maintenance of the county roads without obtaining from the county any return in the shape of a contribution to the repair and maintenance of its roads and streets, which were used much more by the inhabitants of the county than the county roads were by the people of Birmingham. He could not support the Amendment of the hon. Member. When the Bill came into Committee, he himself would propose certain Amendments to prevent such a borough as Birmingham from making any contribution to such roads.

Lord GEORGE CAVENDISH was sorry that the hon. Member for Birmingham (Mr. Chamberlain) had raised an invidious distinction between counties and boroughs in reference to this matter of keeping up the roads. Boroughs had quite as much interest in keeping up good roads in the country as the country itself. If the boroughs kept up their streets, the county districts had to keep up their highways. He had been waiting so many years for a Highway Bill, that he was only too glad to jump at any measure that was brought forward. This was not such a very small Bill after all, and he was sincerely obliged to the Government for having listened to the recent Report of the Turnpike Roads Committee, of which he was a Member. He hoped that the Bill would be passed this Session, and, if necessary, it could be amended another year. So anxious was he that this Bill should pass, that he had almost resolved not to speak on the subject nor to move any Amendment. There was, however, one Amendment which he should bring forward at the proper time, to the effect that the Bill should be made compulsory throughout England and Wales.

Mr. STARKIE said, he could hardly support the Amendment of his hon. Friend the Member for East Gloucestershire, because the time had passed away when they could lay an embargo upon either wheels or horses for the maintenance of roads. There was no wish to receive money from the boroughs towards the maintenance of the roads in the county districts without adequate remuneration. It should be borne in mind that, owing to the enormous increase of traffic, the provision originally made for keeping the roads in repair was now quite inadequate, and a measure dealing with the question was greatly required. He suggested that the repairs of the roads should be thrown on the hundreds of the various counties. Although he had to thank the President of the Local Government Board for introducing this measure, yet he thought it must be made compulsory, if it were to do any good. He should be ready in Committee to assist in making the Bill useful and beneficial to the country generally.

Mr. BENETT-STANFORD said, that as he lived in a district which was largely composed of stone quarries, he was most thankful to the President of the Local Government Board for the "extraordinary traffic clause," as it was called. A feeling prevailed that it was unjust to endeavour to make those who did not use the roads in their own neighbourhoods repair them. He hoped the right hon. Gentleman and the hon. Member for East Gloucestershire would consider together whether a supplementary clause could not be inserted, for the purpose of giving special licences to men in a large way of business, particularly stone-quarry owners, with a view to the rectification of some of the grievances complained of.

Mr. KNATCHBULL - HUGESSEN thought it a pity that so much time should have been taken up in discussing what he could not help regarding as an obstructive Amendment, because the points which had been raised could have been more satisfactorily dealt with in Committee on the Bill. The Bill did not go so far in many respects as he could have wished. It was a mistake on the part of the Government in attempting to deal with so many separate measures having a bearing on the same subject this Session. The highways of the country should be dealt with in a more comprehensive measure. What he wished to see constituted was a central authority which should deal with the roads, and the roads themselves divided into different classes—one to be maintained out of the general rates of the counties, and the other to be looked after by district highway authorities, and a third and smaller class, which might possibly have a claim to contribution from Imperial taxation. The Bill appeared, with two or three exceptions, to be a practical measure, likely to do some service, and he expressed a hope that the House would be allowed to go into Committee on the Bill.

Mr. BEACH said, he could not agree with the right hon. Gentleman that time was wasted in discussing the Amendment. Since the withdrawal of the County Board Bill, the Highways Bill had been, practically, re-modelled; and it was right, therefore, to take the present opportunity of discussing it before going into Committee, and such discussion would be most useful, because it would simplify their proceedings in Committee. As a Member of the Turnpikes Continuance Act Committee, he agreed with the noble Lord the Member for Derbyshire (Lord George Cavendish), that they were all most anxious for a comprehensive measure on this subject; but he did not agree with him in saying that he was anxious to see a measure passed under any circumstances. It would be a mistake to pass a Bill now which would have to be amended next year. Their object ought to be to pass a good measure, which would deal effectually with the evils which were generally acknowledged, and would not require speedy amendment. In his opinion, no highway legislation would prove effectual and useful unless there was a uniform system of road management for the whole country. Tolls were not liked, but a system of licences for locomotives, and other vehicles, to use the various roads, should be issued, and thus contributions could be had in aid of the main roads of the country. If some provision of this kind were introduced, it would render the measure more equitable; but without it there would be little to compensate for the expenses which the additional machinery of the Bill would involve. At the present time, when the taxation of the country was so heavy, they could not expect aid from the Exchequer for carrying out the objects of the Bill; but he hoped it would be given at some future day, when the House might pass a Highway Bill which would be beneficial to the country.

Mr. RYLANDS said, he had heard with great regret a statement of the noble Lord (Lord George Cavendish), whose position in the House rendered him so great an authority on the subject they were considering, that he was so anxious for a Highway Bill that he would accept anything the Government chose to offer. That was hardly the spirit in which they should address themselves to a question which was of permanent importance. They were asked by the Government to deal with a number of subjects this Session, all of which were intimately connected with the progress and well-being of the country, and they were asked to deal with them in a very slip-shod manner by means of measures which did not even pretend to be permanent. If turnpikes were done away with, an equitable arrangement should be made for the maintenance of the roads. A certain portion of the charge of the roads which ceased to be turnpikes should be thrown upon the county funds. That was a fair and reasonable proposition, although he did not believe that they could meet every possible case. They were asked to do one thing which, he thought, very objectionable, to give the county authority power to levy more taxation upon the boroughs, when these boroughs had not the slightest voice in the composition of the county authority. The Bill would fail in the object of securing compulsory highway districts; and as regarded providing a county authority fairly representative of the ratepayers at large, that authority would consist of gentlemen who found themselves in the position, not in virtue of any election, but because they had been selected by one gentleman—the Lord Lieutenant of the county.

Mr. SCLATER - BOOTH said, he gathered from the tone of the discussion that the feeling of the House was in favour of the Bill being proceeded with, and that its details should be considered in Committee without delay. With reference to a remark which had fallen from the hon. Member opposite (Mr. Rylands), he agreed that the county authorities would have an opportunity of taking up other roads and placing them on the same footing as main roads; but their inclinations and their prejudices would be all the other way. The hon. Mover of the Amendment had complained that the Government had not provided any really new proposal in the Bill. The Government lay under no charge of injustice on the score of not providing a mode of taxation towards which the general public might contribute to the maintenance of roads, because it was the common law of England that the roads should be supported by the rates of the districts through which they ran. It was unjust to say that the general public should pay for roads which only a particular class used to any extent for general wear and tear. It was mainly in consequence of repeated suggestions by the Turnpike Committee that the Government thought it necessary to revert to the proposals of the Bill of 1876, which would at once enable the county authority to begin by setting apart certain roads in a way that could not be objected to. There were many parts where there was no feeling in favour of the turnpike toll system, and where, on the whole, the ratepayers were well satisfied with the present arrangement, and thought the expenses were best charged on the rateable property of the county. Several of the suggestions that had been made had been carefully considered by the Government before the introduction of the Bill, and among these was the suggestion that a tax should be imposed on the wheels of carriages. But such a tax must be levied on the whole community, and, if it were, the annoyance and irritation it would cause would be out of all proportion to the revenue it would yield. Ratepayers generally would be better satisfied that the charge should be imposed on rental than it should be imposed on the means of locomotion. If a charge were imposed upon brewers, for instance, it would simply be distributed among their customers, and so be paid by the general body of consumers. The Bill, nevertheless, did set up for the first time in the English counties a fund irrespective of rates, and this was the beginning of a system which could be developed into substantial aid in the repair of roads. With regard to the extraordinary traffic clause, the object of its introduction was to raise the question whether, by any means, some extra contributions could be obtained by taxing heavy traffic that caused excessive damage to roads. The Scotch Bill had adopted a similar clause. He was sorry to have to apologize for the form of the Bill, and to answer the charge of putting the cart before the horse; but last year the Government were obliged to withdraw a Bill, the only objection to which was that it involved the re-enactment of old laws. When comprehensive measures were met with such objections, there was no encouragement to introduce them. With reference to the Resolution, there could be no quarrel about the substance of it. The Bill was intended to be preliminary to a general measure of consolidation of the highway law, and to another general measure affecting locomotives on roads. Such a measure had been passed in relation to the public health, and such was contemplated with regard to the Poor Laws by the measures of amendment which had been carried through Parliament. This was the justification of the Government for bringing forward the Bill in its present shape, and making the main roads a charge on the county rate. With regard to the case of Birmingham, he believed the present law was, that in the towns which were under the Municipal Corporations Act, and where a separate court of Quarter Sessions had been established, no fresh levy of county rates would be made, except in respect of charges to which they were previously liable. He asked the House to be content with such measures of reform as the Government had the opportunity of submitting to Parliament—reforms which would facilitate the passing of more comprehensive measures. He hoped the House would now permit the Speaker to leave the Chair.

Colonel RUGGLES-BRISE also hoped the House would go into Committee, although the Bill was a half-hearted measure, and did not carry out the good old principle, that those who used the roads ought to pay for them. The old turnpike system had been very much objected to; but public opinion was rapidly coming round to the view that, except in some special circumstances, that system was the only one of dealing with the difficulties of the subject. The highway district over which he presided would derive no advantage from the Bill, but would have to contribute £200 or £300 a-year to the county rate, in addition to bearing the establishment charges, which it had been the object of the Board to keep down for the last 10 or 15 years. Highway districts were not always found to work so satisfactorily as seemed to be supposed. He had seen as much extravagance and jobbery under highway districts as he had seen under the old system; but there was one in which they never failed, and that was to increase the rates. He hoped the hon. Member for East Gloucestershire would not press his Amendment, but would allow them to go into Committee upon the Bill.

Sir GEORGE JENKINSON asked the President of the Local Government Board, whether, in the event of the House going into Committee on the Bill, it was his intention to proceed with it at once?

Mr. SCLATER-BOOTH replied, that he should be in the hands of the Committee, and would not insist on going on with it if the general feeling of the Committee were opposed to that course.

Mr. GREGORY said, that the exact interpretation to put upon the words "county rate" was a question of great importance, and there seemed to be some difference on the point. For his own part, he thought it was fair and reasonable that Quarter Sessions boroughs should be made to contribute to the roads.

Mr. PELL said, the Amendment might be taken as a protest against the way in which the Government had arranged their Business with respect to three or four important subjects. The Valuation Bill would have been quite enough to have occupied their attention; but suddenly the Highways Bill, without any adequate discussion, was pushed forward. There was no doubt what the object of the Government was. They wanted to get the Speaker out of the Chair, and after that the Bill would be laid aside until the closing days of the Session, when the Government would have its provisions absolutely at their disposal. He thought that they should have some assurance when the Bill was to be proceeded with, and whether it was to be taken before or after the Valuation Bill, or whether the two were to run interlaced with one another. The present Bill offered a very poor alternative for the County Government Boards which would have been constituted under the Bill which the Government had abandoned. He should, therefore, in the event of a division, vote in support of the Amendment, and hoped that they would now be allowed to proceed first with the Valuation Bill or the County Government Bill.

Sir HARCOURT JOHNSTONE thought that, on the whole, the Bill was likely to meet most of the difficulties which had been experienced in regard to this question. In the part of the country with which he was connected, they would infinitely prefer to have the highways settled very much on the lines indicated in the Government measure, rather than have the County Government Bill pressed on this Session. There were some points to be considered in

Committee, but he hoped they would be allowed to proceed with the Bill.

Question put.

The House *divided:*—Ayes 256; Noes 47: Majority 209.—(Div. List, No. 189.)

Main Question, "That Mr. Speaker do now leave the Chair," put, and *agreed to.*

Bill *considered* in Committee.

(In the Committee.)

Preamble *postponed.*

Preliminary.

Clause 1 (Short title).

MR. J. R. YORKE said, he really must appeal to the President of the Local Government Board, and ask him whether it was right to go on with the Bill at the present time? The Movers of the two first Amendments were not present, and it certainly had been understood that morning that all that would be done would be the passage of the Bill into Committee without any subsequent proceedings.

MR. RYLANDS said, he hoped the hon. Member would not press his objection to the Bill going on upon the grounds he had mentioned. There was no doubt that there had been an expectation that the Roads and Bridges Bill would be taken that morning, and that the Highways Bill would simply be discussed on the Question that the Speaker do leave the Chair. There would, however, be some inconvenience owing to the change in the order of Business whichever Bill was proceeded with, and he hoped the hon. Member would not object to going on with that Bill.

MR. SCLATER-BOOTH said, that, under the circumstances, and after the debate that had taken place, it would be more convenient for the Committee to proceed with the Highways Bill. His hon. and gallant Friend the Member for West Sussex (Sir Walter B. Barttelot), who was not then present, might just as well raise the question involved in his Amendment on the Report, should he desire to do so. It was not of importance at the present stage of the Bill, and he did not think the hon. and gallant Member would regret not having been there.

Clause *agreed to.*

Clause 2 (Application of Act) *agreed to.*

PART I.

AMENDMENT OF HIGHWAY LAW.

Highway Districts.

Clause 3 (Highway districts to be made so far as possible coincident with rural sanitary districts) *agreed to.*

Clause 4 (Power for rural sanitary authority of district coincident with highway district to become highway board).

MR. BEACH (for Sir WALTER B. BARTTELOT) moved, as an Amendment, in page 2, line 3, after the word "may," to insert—

> "With the consent of the vestries representing not less than two-thirds of the rateable value of such area."

He thought the Amendment was a strictly reasonable one, that it only gave to the ratepayers of the county an opportunity of declaring whether they acknowledged the arrangements which made the rural sanitary authority of a district coincident with the Highway Board. He considered that, on the whole, such an arrangement was desirable; but, still, it was right that those who were interested in the question should have an opportunity of expressing their assent or dissent to the proposal.

MR. STANSFELD said, that it appeared to him that the addition to the clause had no reason whatever. The hon. Member could not have read Clause 4 with accuracy, and he could not see what the object of the Amendment was, except in making the application of the clause less likely to be made.

DR. LUSH objected to the Amendment.

MR. HIBBERT said, the question appeared to be whether the highways district did, or did not, fill up the whole of the rural sanitary district; and he should like to know whether the President of the Local Government Board would insert some words in the Bill on the Report to provide for such a case? They were perfectly ready to transfer the highway district authority into the hands of the local authority; and, therefore, he trusted that a due arrangement would be provided.

MR. SCLATER-BOOTH said, he would consider the suggestion made by the hon. Member for Oldham, and would see what could be done upon the Report. As regarded the Amendment which had been moved, he quite remembered that he himself had placed a precisely similar Amendment on the Paper when the Highways Act was before Parliament—namely, that the assent of the vestries should be taken as well as that of the local authorities. But it had been very well pointed out at the time that a limitation of that sort would really place an obstacle in the way of a reform which Parliament desired to see effected. A second objection was, that the vestry did not represent the ratepayers of the district so satisfactorily as did the guardians, who were elected annually; and, therefore, he thought that the general rule of Parliament ought to prevail there—namely, that the elected representatives must be presumed, for the purpose of policy, to represent their constituents. He, accordingly, must object to the Amendment, as he thought it would limit the operation of what would be in many cases a useful provision. He did not wish it to be supposed that they wanted to bind down the Boards of Guardians to take up the highway business of their areas; but he was obliged to have regard to the various views, habits, and practices of the different Boards throughout the country. He knew that the proposal was entirely out of the question in some parts of England, whereas it was highly desirable in others; and he thought it might be safely left to the consideration of the guardians.

Mr. PAGET thought that at first sight there was a good deal to be said in favour of the Amendment, for it was in the direction of allowing an ample opportunity of deciding whether the inhabitants of the locality who were chiefly interested in the matter desired the change or not. But, on further consideration, according to his view, that limitation, which at first sight was a very useful one, would not be necessary, and he hoped his hon. Friend would not press it.

Amendment, by leave, *withdrawn.*

Mr. SEVERNE, in moving to leave out the clause, said, he thought it was a permissive clause, and that as it stood at present it would tend to do away with the Board of Highway laws, and turn them over at once to the sanitary authorities—that was to say, the Board of Guardians. The Boards of Guardians, as at present comprised, had quite enough on their hands without taking upon themselves that additional duty. He had been Chairman of a Board of Guardians which was principally composed of farmers, and he thought that the work would be more than a good many farmers would care to undertake; whereas there were a good many men on the Highways Board who would not serve on the Board of Guardians.

Mr. SCLATER-BOOTH said, he should be very sorry to support the clause if it were of a tyrannical character; but everybody must see that the time was coming when it was desirable to give the rural sanitary authority urban powers over the roads. He was quite sure that that was a useful power for some districts; but it ought not to be imposed on other districts where the Highways Board was doing its work.

Mr. HIBBERT did not rise for the purpose of supporting the Amendment, but he did think that the latter part of the clause required some consideration. It proposed to do what was generally considered objectionable — namely, to allow a new authority to be set up over the boundaries of the county.

Mr. SCLATER-BOOTH thought the argument might be pressed both ways.

Mr. J. R. YORKE considered the clause was one of the most valuable provisions of the Bill. What they had been looking forward to as the greatest advantage of these Bills was that they should have something like a symmetrical area; and he was afraid that that important reform could not properly be brought into operation unless they had an intermediate authority.

Mr. PAGET said, he was by no means so sanguine that the excellent results hoped for by the hon. Member would flow from that clause. He, however, was ready to support the clause, as it was not compulsory. He knew, as a fact, that in many cases the Board of Guardians had quite as much work as they could do in the administration of the Poor Law; and freely stated that if the highways work were to be thrown upon them as well, they did not know how they should perform it. He knew that there was a general feeling that it would be better to take rural sanitary business from the Unions and put it on the Highway Boards; but the Bill, however, left it open to any rural sanitary authority to continue to do its work as it did now, and, therefore, he was now ready to support the clause as it now stood.

Amendment, by leave, *withdrawn.*

Clause *agreed to.*

Clause 5 (Consequences of rural sanitary authority becoming Highway Board).

MR. SCLATER-BOOTH moved, in page 2, line 31, to leave out "this Act," and insert "such order." Page 3, line 3, leave out "this Act," and insert "such order."

Amendments *agreed to.*

Clause, as amended, *agreed to.*

Clause 6 (Highway Boards may combine to appoint a district surveyor) *agreed to.*

Clause 7 (Expenses of Highway Boards to be paid out of district fund).

MR. SCLATER-BOOTH moved, in page 3, line 31, after "shall," to insert "notwithstanding anything in the Highway Acts."

Amendment *agreed to.*

MR. BEACH said, that, upon the whole, he thought the clause would be productive of benefit. It was a sequel to that alteration which was made some time ago—namely, that turnpike roads, instead of being parts of parishes, should be charged upon the district funds. That showed the great necessity there was of simplifying the accounts in the various areas, and in making an equitable charge throughout the whole district. Therefore, he thought that if the expenses of the various highways were charged upon a district, instead of being charged upon individual parishes, it would be of use and productive of benefit to the country.

MR. PAGET said, he had an Amendment to the clause which he would explain. The clause contained what was to his mind a very important limitation. That was the limitation of the principle that the whole expenses of Highways Boards should be paid out of the district funds. He thought that highway districts might very well have been left alone. They did not object to the existing practice of parochial charge for parish highways—they were quite satisfied to leave the principle as it existed, and to leave each of their own parishes to pay for the roads. However, the principle was going to be altered by the clause. The Amendment was to the effect that any parish or parishes should have the right to appeal to the Highways Board for permission to continue, as at present, to pay for their parish highways; and that if such permission were not granted, they should have the right to appeal to the county authorities. The clause, as it at present stood, did not give the people most intimately concerned a right of appeal. They might find a highway district composed of a certain number of parishes, and having a certain number of them so situated, that it would be right and just that they should be formed into a district by themselves. He simply desired to give effect to the principle that there should be an appeal.

MR. STANSFELD said, that in the clause were words giving a discretionary power to the Highway Boards in the case of natural differences of locality. He should like to know exactly what those words meant? Natural differences of soil he could understand.

SIR HARCOURT JOHNSTONE thought that though the right hon. Gentleman took exception to the words, they conveyed to his mind a very accurate idea of what was intended to be enacted by the Bill. In his highway district there was a considerable difference in the soil and in the character of the land, which, at the present time, formed a substantial grievance as to the incidence of the rate; and he should prefer to retain the words.

MR. SCLATER-BOOTH thought the words "soil" or "locality" hardly indicated sufficient reason for dividing a district into two parts; and, therefore, he should not be disinclined to adopt the words "soil or locality, or other exceptional circumstances," and he would take the opportunity of considering the question raised by his hon. Friend (Mr. Paget) before the Report. The right hon. Gentleman then moved to add the words above-mentioned as an Amendment.

Amendment *agreed to.*

MR. PAGET moved to add to the clause the words—

"Any parish in a highway district may apply to the Highway Board to be permitted to bear the expense of maintaining its own highways, and, in the event of such application not being entertained, may appeal to the county authority: Provided always, That previous to such application, the assent of the ratepayers representing not less than two-thirds of the rateable value of such parish shall be obtained."

He put the words as to two-thirds in, as he did not wish an appeal to be made unless there was a strong feeling in its favour. He did not wish it to be done hastily; but, an application being refused, the ratepayers, if they were agreed to the extent of two-thirds, might appeal to the county authorities, and say—"Here is a case which the Bill has provided for. Our application was not entertained, because we were in a minority. We contend that it is, in the words of the Bill, 'just, by reason of the natural differences of our soil and locality,' that we should be permitted to bear the expense of maintaining our own highways, and we desire to be heard in support of our claim."

Sir HARCOURT JOHNSTONE said, that appeared to him to be a mixture of the permissive principle with the *Imperium in Imperio.* He did not think it would work at all well in the manner indicated by the hon. Member.

Mr. WILBRAHAM EGERTON did not think it would be an advantageous custom to allow any parish to contract itself out of the highways management. He regretted that the Highway Acts had not been made compulsory.

Mr. SCLATER-BOOTH hoped the hon. Member would not press his Amendment, as it would be quite contrary to the spirit and intention of the clause. When, a few years ago, Parliament decided that turnpike roads should be charged upon the parishes, they made no exception in favour of parishes which had no turnpike roads upon them.

Mr. PAGET thought that the hon. Baronet (Sir Harcourt Johnstone), as an advocate of the Permissive Bill, would have had some sympathy with a permissive clause. The Bill, however, had been brought on rather earlier than he expected; and, of course, an Amendment of that kind was not readily understood or appreciated. He, therefore, would withdraw it for the present, proposing to bring the question forward at a later stage of the Bill.

Amendment, by leave, *withdrawn.*

Mr. HIBBERT wished to draw the attention of the President of the Local Government Board to cases where the Highways Boards had borrowed money of parishes in their district. He did not think the Bill would sufficiently protect cases of that kind. He knew of several cases where money had been borrowed of parishes by the Highways Boards for the improvement of roads; and, therefore, he thought that, in the Report, when it came up, there should be some provision made for such a case.

Mr. SCLATER-BOOTH said, that no doubt money had been borrowed in some cases, and he would take care that the question should be considered before the Report.

Clause, as amended, *agreed to.*

Clause 8 (Audit of accounts of highway districts and parishes).

Mr. SCLATER-BOOTH moved, in page 4, at the end of the clause, to add—

"Section thirty-six of 'The Highways Act, 1862,' is hereby repealed down to the words 'to be paid out of the district fund,' and the statement of receipt and expenditure by the said section directed to be furnished by every highway board within thirty days after the signature of the accounts by the chairman shall be furnished within thirty days after the completion of the audit under this section."

Amendment *agreed to.*

Mr. J. R. YORKE said, with regard to the auditor, that he did not see why the expense of the auditor should be thrown upon the Highways Board, as the work done was done for the whole of the district.

Clause, as amended, *agreed to.*

Clause 9 (Duration of office of waywarden).

Mr. HIBBERT gave it as the result of his experience, that the expenses of guardians going to attend their Board meetings were often charged in the highway accounts. He desired to have some explanation with regard to the duration of the period of office, fixed by the clause, in the case of waywardens, as it appeared that by the proposed arrangement there would be two sets of officers at the same time.

Mr. SCLATER-BOOTH said, there was, no doubt, a good reason for fixing the 30th April in the year following the appointment of waywardens, as the date for the appointment of their successors in office. He was not then able to reply more fully to the question raised by the hon. Member for Oldham (Mr. Hibbert), but would have it examined.

Clause *agreed to.*

Clause 10 (Repeal of part of Section 7 of Highway Act, 1862), *agreed to.*

Main Roads.

Clause 11 (Disturnpiked roads to become main roads, and half the expense of maintenance to be contributed out of county rate).

SIR GEORGE JENKINSON thought the operation of the clause, if it remained unaltered, would be extremely unfair to the district with which he was connected, inasmuch as, although Gloucestershire was one of the counties that first adopted the Highway Act now in force there, it would have no claim on the county rate, and would have to bear the whole cost of maintaining its roads. He, therefore, wished to move to leave out the word "seventy," in page 4, line 36, of the clause, and to insert the word "sixty-five."

MR. BEACH said, that 1870 was the first year in which the work of the Turnpike Continuance Committee took effect, and trusts were largely extinguished; but that the Bill gave ample opportunities for converting highways into main roads, as well as the power to county authorities of reducing main roads to the status of ordinary highways. In his opinion, therefore, the date fixed by the Bill was a very convenient one.

LORD GEORGE CAVENDISH also considered that the term for the retrospective operation of the Bill had been fixed with very good reason.

MR. SCLATER-BOOTH said, his reply to the Amendment of the hon. Baronet (Sir George Jenkinson) had been anticipated by the hon. Member for North Hants (Mr. Beach) and the noble Lord who had just sat down. The date fixed by the clause 1870—which was also decided upon by the Turnpikes Committee, would be very convenient; while that proposed by the Amendment would involve the difficulties of dealing with special and perplexing cases. He hoped the Amendment would not be pressed to a division.

MR. GREGORY said, he had received representations as to the unfairness of the date fixed by the clause; and from circumstances within his own recollection, it appeared to him somewhat unjust to exclude from the beneficial operation of the clause those districts in which the roads had been disturnpiked as far back as 1865.

MR. PAGET said, no injustice of the kind indicated would result from the operation of the Bill; because, on application of the highway authority, the county authority had power, under Clause 13, to declare ordinary highways to be main roads. There would, for that reason, be no difficulty whatever with regard to the Gloucestershire roads, which could be declared main roads, if they made out a good case for the consideration of the county authorities. He hoped the hon. Baronet would not persist with his Amendment.

SIR HARCOURT JOHNSTONE said, the Committee had nothing before it to show how many roads would come upon the county rate by taking the years 1870 and 1865 respectively. He hoped that his hon. Friend would give the Committee some idea of the effect of substituting one of these limits for the other. Notwithstanding the contention of the hon. Member for Somerset (Mr. Paget), the greatest injustice would be done by this clause of the Bill.

MR. STANSFELD thought that the words of Clause 13 would not enable the highway authority to discuss the question fully; and that, when the clause was reached, some explanation would be found to be necessary.

Amendment, by leave, *withdrawn.*

MR. GREGORY said, as it might cause some trouble, and prejudice the view which he took of the question, he did not wish to press the Amendment standing in his name, for the omission from the clause, in page 5, line 1, of the words "out of the county rate."

Amendment, by leave, *withdrawn.*

MR. HIBBERT said, he had a strong opinion that in Lancashire it would be quite impossible to give effect to the clause unless they had power to meet the expense out of the hundred rate, He therefore begged leave to insert, in line 1, page 5, after the word "rate," the words "or hundred rate as such county authority may decide."

Sir CHARLES W. DILKE said, he rose to Order. The hon. Member for Middlesex (Mr. Coope) had an Amendment on the Paper relating to the same portion of the clause. As due Notice had been given of this Amendment, it should, as a matter of Order, be taken first.

The CHAIRMAN said the hon. Baronet (Sir Charles W. Dilke) was quite right. He would call upon the hon. Member for Middlesex to move his Amendment.

Mr. COOPE begged leave to move, in page 5, line 1, after the word "rate," to insert the words—

> "But no part of such expenses shall be charged in the Metropolis as defined by the Metropolis Local Management Act."

Mr. SCLATER-BOOTH stated, with regard to the addition to the clause proposed by the hon. Member for Oldham (Mr. Hibbert), that he had no objection to the county of Lancashire using the hundred rate for the payment of main road expenses; but that arrangement should be determined by a separate clause. If the hon. Member would consult with him, the clause should be considered before the Report. He objected to the Amendment of the hon. Member for Middlesex. The Bill was a step in the system of road management, and he hoped that no change would be made without consideration. The Government did not intend to carry the county rate for this purpose into Quarter Sessions boroughs or into the Metropolis.

The CHAIRMAN inquired what course the hon. Member for Oldham intended to pursue with regard to his Amendment?

Mr. HIBBERT: I withdraw it.

Amendment, by leave, *withdrawn.*

Mr. COOPE said, he still thought an Amendment would be desirable, inasmuch as it would remove the ambiguity which would necessarily follow if the words were not inserted. He understood his right hon. Friend to say that the clause would not be applicable to the Metropolis. There was, therefore, no reason why the words he now suggested—

> "But no part of such expenses shall be charged in the Metropolis as defined by the Metropolis Local Management Act,"

should not be inserted in the clause.

Mr. STANSFELD observed, that as the Government had placed the cases of the Metropolis and of boroughs with Quarter Sessions upon the same ground, he should like to say a few words with regard to the latter. So far as he could understand the Report which the right hon. Gentleman had himself laid upon the Table, municipal boroughs having Quarter Sessions did not contribute to the county rate, and were not liable in those boroughs for the repair of the main roads. No doubt the matter was involved in considerable obscurity; but to take the case of Birmingham, to which attention had been called by the hon. Member for that borough, he found it stated that there were Sessions Courts there for county purposes, but having separate Courts of Quarter Sessions, it was exempted from contributing to the county rates. So much he gathered from the statement, that otherwise Birmingham would have to contribute to the county rates. If he took Clause 5 as a basis of calculation in the Bill, he found it was a matter of adjustment between town and county on the basis of population. He might refer, also, to Manchester, Liverpool, and Leeds, as similar instances. Perhaps the President of the Local Government Board would inform the Committee whether the position of Quarter Session boroughs not at present contributing towards the rates was intended to be changed?

Sir CHARLES W. DILKE said, that if the Bill passed in its present state, London would have to contribute. As he understood the explanation now given by the right hon. Gentleman the President of the Local Government Board, it was proposed to make the changes effected by the Bill perfectly clear. If some fresh clause were to be introduced, it ought to be placed in the hands of Members.

Mr. SCLATER-BOOTH said, that the question was not altogether free from difficulty; but he might say that, in his opinion, it would be highly inconsistent for Parliament to authorize county rates to be levied in Quarter Session boroughs. He believed that in old boroughs sums in respect of some county matters had remained charged upon those boroughs.

That would account for the position of affairs in Manchester, Birmingham, and Liverpool. Very difficult questions were raised which he did not then wish to approach. But he would state that the Government did not propose to extend these charges either on the Metropolis or on Quarter Session boroughs, because they had no representation on the County Board. But some contribution might justly be expected from them in certain cases, and he hoped to be able to devise some plan for effecting this object which would be satisfactory. He felt, however, that this Bill was not a convenient mode of carrying out what would be an important change in county assessment.

SIR CHARLES W. DILKE hoped the right hon. Gentleman would state what he proposed to do.

MR. COOPE proposed to insert, at the end of the clause, the words—

> "A separate estimate shall be made by the county authorities of the counties of Middlesex, Kent, and Surrey of all sums required by them for the purposes of this section, and no part of such sums shall be included in any precept or warrant for the levying or calculation of the county rate within the Metropolis."

That Amendment would answer the purpose of freeing the Metropolis from extra charge.

MR. STANSFELD observed, that the Amendment would protect the Metropolis, but not the Quarter Session boroughs.

MR. SCLATER-BOOTH said, that the intention of the Bill was that the county rate should be levied in the ordinary way.

MR. WHITWELL was proceeding to make some observations with respect to Quarter Session boroughs, when——

THE CHAIRMAN said, that the hon. Member was not in Order. The Amendment before the Committee was with regard to the Metropolis. Did the hon. Member for Middlesex propose to withdraw it?

MR. COOPE said, that was his intention.

Amendment, by leave, *withdrawn.*

MR. GREGORY wished to know whether the right hon. Gentleman the President of the Local Government Board admitted the propriety of the boroughs making some contribution to the county rates?

THE CHAIRMAN inquired whether the hon. Member proposed to move an Amendment?

MR. GREGORY was not prepared to move any Amendment.

MR. COOPE again moved the insertion, at the end of the clause, of the words—

> "A separate estimate shall be made by the county authorities of the counties of Middlesex, Kent, and Surrey of all sums required by them for the purposes of this section, and no part of such sums shall be included in any precepts or warrants for the levying or calculation of the county rates within the Metropolis."

MR. GREGORY observed, that, of course, some proposition would have to be made with regard to these boroughs, and there would then arise an opportunity of discussing the subject. The right hon. Gentleman had admitted that there ought to be some contribution from these boroughs, and it was right that they should pay some reasonable sum commensurate with the benefit which they received.

MR. HIBBERT said, that boroughs having Quarter Sessions were now rated for some county purposes. He did not see why, if they were rated in respect of bridges all over the county they should not also be rated for the roads. The case seemed to him made out for making them contribute to the roads.

LORD GEORGE CAVENDISH referred to the cases of county roads being almost exclusively used by the inhabitants of neighbouring towns. The road from Brighton to Rottingdean was an example of a road where some portion of the cost of repair ought to fall on the town.

MR. PAGET would like to ask whether there were any main roads subject to Clause 11 existing within the Metropolis or not; and, further, if there were any such roads, whether the Metropolis would not be entirely absolved from maintaining them?

MR. SCLATER-BOOTH said, that some parts of the Metropolis certainly contained roads such as were alluded to. He did not think anything would be gained by including any part of the Metropolis in the area for the calculation of the county rate. The subject was a difficult one; but when they could find time they would deal with it.

MR. STANSFELD thought it would be better to deal with these questions before passing from this clause. He was not quite satisfied with respect to Quarter Session boroughs; they should be liable equally with other parts of the country. At all events, the subject was one well worthy of discussion.

Mr. WHITWELL said, it was clear this matter could not be settled that evening. It would be well if the right hon. Gentleman placed his proposed Amendment on the Paper before the time arrived for its consideration.

Mr. SCLATER-BOOTH moved to report Progress.

Motion *agreed to.*

Committee report Progress; to sit again upon *Tuesday* next, at Two of the clock.

The Sitting was suspended at ten minutes to Seven of the clock.

The House resumed its Sitting at Nine of the clock.

SUPPLY.—COMMITTEE.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

Notice taken, that 40 Members were not present; House counted, and 40 Members not being present,

House adjourned at five minutes after Nine o'clock till Monday next.

HOUSE OF LORDS,

Monday, 1*st July*, 1878.

MINUTES.]—Public Bills—*Second Reading*—Parliamentary and Municipal Registration (Consolidated) (125); Conway Bridge (Composition of Debt) (111).

Second Reading — Committee negatived — Public Works Loans (Ireland) Act (1877) Amendment* (137).

Select Committee—Report—Telegraphs [No. 141].

Committee — Report — Prison Authorities Act, 1874, Amendment* (134).

Report—Telegraphs* (77-142).

Third Reading — Inclosure Provisional Order (Orford)* (127); Pier and Harbour Orders Confirmation (No. 1)* (109); Highways (South Wales)* (98), and *passed.*

THE FOREIGN OFFICE—ABSTRACTION OF A DOCUMENT—THE MEMORANDUM OF AGREEMENT BETWEEN ENGLAND AND RUSSIA.

QUESTION. OBSERVATIONS.

Earl GRANVILLE: My Lords, I do not know whether the noble Duke the Lord President of the Council can answer a Question which I desire to put to him, and of which I have given him private Notice. It refers to a matter which has already formed the subject of a Question in the House. I allude to the publication by *The Globe* newspaper of a Memorandum purporting to be a Memorandum of Agreement between England and Russia, and in respect of which a person now stands charged before the magistrate at Bow Street. Of course, I shall say nothing that could reflect in the slightest degree upon the Government, or on the person who is accused of having made the communication to *The Globe;* but it is perfectly clear, from the proceedings before the magistrate at Bow Street, that the Memorandum had been put into the hands of a writer who did not belong to the regular Establishment of the Foreign Office, and I think there is internal evidence that there is no rule at the Foreign Office which prevents confidential communications from being so dealt with that it is possible for them to obtain publicity. In the course of 20 years I have been three times at the Foreign Office, and during my experience there, the system pursued was that of placing absolute confidence in the gentlemen belonging to the Establishment. That absolute confidence was not confined to one department, but was extended to the whole of the gentlemen of the Establishment, and they manifested so high a sense of honour, that the strictest secrecy was inviolably observed, and I think that without a single exception the confidence reposed in them was justified. But I am not aware that at the periods of which I speak a confidential communication could have got into the hands of a person employed in the Office by the hour as a copying writer. Placing confidential documents into the hands of persons not belonging to the Establishment is certainly at variance with the system with which I am acquainted.

Therefore, I hope the noble Duke will be able to make some satisfactory statement, from which the public at large may see that the confidential character of the relations between the Government and the clerks of the Foreign Office has not been destroyed, and that he will also give your Lordships an assurance that steps will be taken to prevent confidential documents from getting into the hands of persons not belonging to the Establishment, or in the position of the person who is now charged with the abstraction of the Memorandum in question, and of further publishing it?

THE DUKE OF RICHMOND AND GORDON: My Lords, I regret that I cannot give my noble Friend the information for which he asks. The whole matter, as my noble Friend stated, is now before a police court, and the person charged with the offence is under a remand; consequently, the whole subject must be matter of judicial inquiry. It is therefore impossible for me to give an answer to my noble Friend, without going into such a statement of facts as would be very inconvenient considering the state in which the case before the court now is. That being so, I am sure my noble Friend will not press the Question; because it is obvious that in any statement respecting the affair I might make, I must go into details the mention of which would not now be advisable.

LORD SELBORNE: Upon one point I should like to ask the noble Duke a Question. A gentleman belonging to the Foreign Office is reported to have stated at the police court that there is no rule of the Office against the employment there of persons known to be connected with the public Press. I hope, if the statement which has been made on that head is incorrect, the noble Duke will be able to tell us so?

THE DUKE OF RICHMOND AND GORDON: As the noble and learned Lord (Lord Selborne) has given me no Notice of his Question, it is impossible for me to give him a very satisfactory answer. As I understand it, the statement referred to by the noble and learned Lord was made on oath before the magistrate.

LORD SELBORNE: It was; by Mr. Marsh.

THE DUKE OF RICHMOND AND GORDON: I presume that if the gentleman referred to made the statement on oath, he conscientiously believed it to be true; but whether it is true or not, I personally cannot undertake to say.

LORD HAMMOND: Your Lordships will, I am sure, considering the position which I so long held in the Foreign Office, extend to me your indulgence while saying—though I may not be strictly in Order—a few words on the painful transaction connected with the publication of the Schouvaloff-Salisbury Agreement of the 30th of May in *The Globe* newspaper of the 14th of June. I am sure, however, that it is satisfactory to your Lordships, as it certainly is to myself, that it has been ascertained that not a shadow of suspicion can any longer rest on the Russian Embassy of its having been directly or indirectly party to its publication. Attached as I justly am to an Office in which I have so long served, and deeply interested in the character and reputation of its members—to most of whom I am indebted for their most friendly and zealous assistance throughout many years during which we have worked together—I cannot but feel the utmost concern at an occurrence which, on the first blush, would seem to attach an evil imputation upon the Foreign Office; and it is but a poor consolation to find in it a justification of the opinion, which I have always entertained and enforced, that it would be a very hazardous experiment to introduce into an Office, where the work is essentially of a most confidential character, and where the principle of the most unreserved confidence in every person employed in the transaction of it, from the very first day on which a clerk enters on its duties, is, and must be necessarily, acted on, persons of whose antecedents and connections the Secretary of State has no other knowledge than is afforded by a certificate of proficiency and fitness granted to them by the Civil Service Commissioners after open and competitive examination. Of the soundness of this principle of unreserved confidence as applied to the Foreign Office I never, during nearly 50 years while I was employed in it, and specifically during nearly 20 years while I held the Office of Permanent Under Secretary of State, had reason to doubt. It secured friendly and harmonious feeling among all who were employed in carrying on the public business of the Office, and it stimulated zeal and industry among them, without which the confidential and at times oppressively laborious duties imposed upon them could not have been efficiently and cheerfully discharged. I trust most earnestly in the interests of the Public Service, no less than for the comfort of the individual members of the Office, that the Secretary of State for Foreign Affairs will maintain that principle. The practice which, in conformity with it, has been observed in carrying on the public business of the Office has been proved by the experience of many years to be singularly well calculated to insure its efficient, regular, and speedy transaction. I found it in existence when I entered on the Office in 1824; I have studied during my own service to maintain it unimpaired. I can appeal to many Members of this House to bear me out in what I say on this subject, and I know that in foreign countries the English Foreign Office is held in honourable estimation. While I hope that I shall have carried your Lordships along with me in what I have now said in behalf of the Foreign Office, I would further remark that its members are deeply grieved at what has occurred, and if any word could go forth to satisfy them and the country that there is no imputation on the Office generally, it will be highly gratifying to them. I can speak from long experience of the zeal and devotion to the Public Service and the deep sense of personal responsibility which is entertained by every member of the Office. I think it is due to them that one who has served with them so long should rise in his place in this House and defend them. It is not impossible, I would trust, that some useful lessons may be drawn from what has occurred which may be of general benefit hereafter. The first is, that greater attention should be paid than has been proved to have been paid in the present instance, in the assignment of copying clerks to such Departments as have assented to their introduction; and, secondly, that greater liberality should be shown in remunerating copying clerks than the miserable pittance of 10*d.* an hour, which would seem to be the estimate entertained of the value to be attached to their services.

Lord Hammond

PARLIAMENTARY AND MUNICIPAL REGISTRATION (CONSOLIDATED) BILL—(No. 125.)

(*The Earl Stanhope.*)

SECOND READING.

Order of the Day for the Second Reading, read.

EARL STANHOPE, in moving that the Bill be now read a second time, said, that the chief object of the measure was to provide one simple system for the revision of electoral lists for Parliamentary and municipal purposes. In 1876 there were before the other House of Parliament three Bills relating to those subjects; but in 1877 those three Bills were sent to a Select Committee of that House. The Select Committee was composed of 21 Members, of whom two were Metropolitan Members, three Members for great cities, 11 Members for provincial great towns, one county Member, and four Irish Members. He might at once mention that the Bill before their Lordships did not affect Ireland. The Bill contained 43 clauses, and when it came into operation, the revision for both the Parliamentary and the municipal franchises would be carried out by the Revising Barrister. At present the municipal list was annually revised by the Mayor of the city or borough, assisted by two assessors; while the Parliamentary list had to be revised by a member of the Bar appointed to that office. The Bill proposed to do away with the present mode of registering the municipal voters, and provided that the Revising Barrister should revise each at a Court held within the city or borough in the month of October in each year. It had undergone careful consideration in the House of Commons, and came up to their Lordships with the approval of that House. Petitions in its favour had been presented by the Association of Municipal Corporations; and in communications received from Town Clerks, it was estimated that the saving resulting from the operation of the Bill would be very large. It was estimated that in Liverpool the saving would be at least £300, in Manchester £600, and in Birmingham £800. In Liverpool at present the making of the burgess roll cost £353 14*s.* 9*d.*; the printing of the same, £464 14*s.* 6*d.*; and the printing of the Parliamentary register, £273 6*s.* 3*d.*;

making a total of £1,091 15*s.* 6*d.* The noble Earl concluded by moving the second reading of the Bill.

Moved, "That the Bill be now read 2ª." —(*The Earl Stanhope.*)

THE LORD CHANCELLOR said, the Bill was one of considerable importance, and one which, he hoped, if it became law, would prove extremely useful in its operations. It therefore deserved the favourable consideration of their Lordships, and he hoped it would be read a second time without opposition, as it came before them after having been subjected to the examination of two Select Committees of the other House of Parliament in two successive Sessions, on the last occasion the Committee being assisted by a Law Officer of the Crown. Those Committees had made several very important suggestions, which had been embodied in the Bill by the Law Officer of the Crown. There might be some difference of opinion in their Lordships' House upon some matters of detail; but if it were read a second time they would have ample opportunity in Committee of making any Amendments of detail which might be thought desirable.

EARL GRANVILLE said, that no doubt it was desirable the Bill should pass; but he would remind their Lordships, if he remembered rightly, that when a similar Bill was before their Lordships five years ago, the noble and learned Lord did not express so favourable an opinion upon it.

THE LORD CHANCELLOR: If the noble Earl will take the trouble to compare the two Bills—the Bill of five years ago with the present Bill—he will scarcely say that they are similar.

Motion *agreed to;* Bill read 2ª accordingly, and *committed* to a Committee of the Whole House on *Monday* next.

CONWAY BRIDGE (COMPOSITION OF DEBT) BILL—(No. 111.)

(*The Lord President.*)

SECOND READING.

Order of the Day for the Second Reading, read.

THE DUKE OF RICHMOND AND GORDON, in moving that the Bill be now read a second time, said, that in the reign of George IV., the Commissioners of the Treasury were authorized by Act of Parliament to advance out of the Consolidated Fund a sum of £40,000 to construct a bridge over the Conway. The bridge was to be constructed as a part of what at that time was the mail route to Ireland, and the Postmaster General was authorized to charge extra rates of postage for letters going across the bridge. The Conway bridge was vested in the Commissioners of Her Majesty's Works, who managed and repaired it, and received the revenue arising from the tolls, which, after deducting the expense of collection, they paid into the Exchequer. The expenses of the management, repair, and maintenance of the bridge were paid out of monies provided by Parliament. There was now a Bill before Parliament for the transfer of the Conway Bridge to Commissioners to be constituted under that Bill, and they would relieve the Commissioners of Works from all liability in respect of the structure. The tolls had much fallen away since the construction of the line of railway to Holyhead, which had diverted the traffic; and, of course, when the Penny Postage Act was passed, the extra amount received for letters fell off also, and hence the local authorities had been for some time unable to meet their engagements. In order to remedy the deficiency, the Bill, the second reading of which he was moving, was one to enable the Treasury to compound the debt of £40,000 and the arrears of interest thereon for an immediate payment of £10,000. It was believed that this composition would be for the interest of the public. The noble Duke concluded by moving the second reading of the Bill.

Moved, "That the Bill be now read 2ª." —(*The Lord President.*)

VISCOUNT PORTMAN said, he desired to call attention to the Bill, because it commuted a charge of £40,000 on loan from the funds of the public taxpayers for a payment of £10,000, at 5*s.* in the pound. He wished to warn the House against the excessive increase of debts incurred by occupiers of premises on mortgage of the owner's property, which the owners had no power to control, while the occupiers were mere pilgrims, who might leave the empty premises to pay the debt. The protection for the owners was supposed to be vested in the Local Government Board; but, in fact, they were the great promoters of every kind of expense, with no regard to the cost of works, generally conducted by schemers who cared nothing for the loss to the parties interested. The result must be similar to the case in this Bill—an appeal to the Government to abate the debt. The Return of local loans sanctioned by the Local Government Board under the Public Health Act alone showed on the five years ending 1876, a debt of nearly £1,200,000, whereof nearly £530,000 was advanced by the Public Works Loan Commissioners, and, looking at the places so assisted, he was very much afraid that that debt would grow, and that the Conway Bridge Bill would prove only the precursor of numerous other measures of a similar character. He would not go into the figures which showed the enormous amount of borrowed money in other years, nor into a list of Acts passing almost unheeded every day for sanctioning works to be carried on with borrowed capital, but he would give their Lordships a case to show why he was distrustful of the appointed *custodes.* A Local Board Inspector was sent at the public cost to inquire into a very frivolous quarrel between an individual and the sanitary board of a district. The Inspector suggested various expenses under some assumed dictatorial power, and advised a borrowing of £2,000 or £3,000, to be charged on a 30 years' loan, which was repudiated by the district as pure waste. He had, however, a much more alarming topic to mention, which he trusted the noble Duke the Lord President of the Council would do his best to avert. In the Bill called the County Government Bill was a clause to enable the Board to mortgage the county property in aid of the debts of the urban sanitary boards and such like authorities; so that, however wasteful they might be, the real property of the county was to be charged with a sort of rate to pay the loan over which they had no possible control. He thought that the Government should take some strong measures to check the system of borrowing by local bodies, and the facilities which the Local Government afforded for such borrowing, and he had, therefore, thus called attention to the subject; for, although contributions were given from the taxes in aid of the rates in certain cases, the new charges encouraged by the Local Government Board far exceeded the relief.

The Earl of REDESDALE said, there was a good deal of truth in what the noble Viscount had urged; but it must be remembered that Parliament had imposed upon local authorities the duty of carrying out sanitary and other improvements costing a great deal of money, and it was therefore desirable that they should be assisted in procuring the money at a low rate of interest. If care were taken that a proper sinking fund was provided, the country would not lose, and the locality would undoubtedly gain a great deal by these loans. The great difficulty appeared to be to insure that the locality was capable of bearing the expense put upon it, and this was a question which should be the subject of careful investigation before loans were granted.

Motion *agreed to;* Bill read 2^a accordingly, and *committed* to a Committee of the Whole House *To-morrow.*

House adjourned at Six o'clock, till
To-morrow, half past
Ten o'clock.

HOUSE OF COMMONS,

Monday, 1*st July,* 1878.

MINUTES.]—Public Bills—*Second Reading*—Contagious Diseases (Animals) [204].
Committee—Ecclesiastical Buildings (Fire Insurance) (*re-comm.*) [99], *debate adjourned.*
Committee—Report—Epping Forest (*re-comm.*) * [228]; Entail Amendment (Scotland) * [158]; Idiots, &c. (Ireland) [149].
Third Reading—Metropolis Improvement Provisional Orders Confirmation (Bowman's Buildings, Marylebone, &c.) * [217], and *passed.*

QUESTIONS.

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TURKEY—THE MOHAMMEDAN POPULATION OF BULGARIA.—QUESTION.

Mr. ONSLOW asked Mr. Chancellor of the Exchequer, Whether his attention has been drawn to a letter in the "Daily Telegraph" of June 26th, signed "E. Ashmead Bartlett," a gentleman sent out by the Baroness Burdett Coutts to Constantinople to superintend the administration of the Turkish Compassionate Fund, giving a statement of the deplorable condition of the Mohammedan population in the districts of Bulgaria now occupied by the Russian Army; and whether he is aware if there is any foundation for those statements; and, if not, whether he will cause official inquiries to be made, so as to ascertain the real facts of the case?

THE CHANCELLOR OF THE EXCHEQUER: Sir, my attention has been drawn to the letter referred to by my hon. Friend, and I am sorry to say that the statements are only too much in accordance with what we have heard from other quarters. I fear there can be no doubt that the Mohammedan population in those districts has suffered very considerably, and, perhaps, is still suffering. Her Majesty's Government have called the attention of the Russian Government to the matter; we are still in communication with them in regard to it, and I earnestly hope that the effect of the representations we make may be beneficial, and that the Congress now sitting will bring the agitation to a speedy close. With reference to the last part of the Question of my hon. Friend, the publication of the Reports may, perhaps, tend rather to aggravate the mischief, and to render the position of our Consuls more difficult; but I will look over the Papers, and see if there are any which can, without inconvenience, be produced.

HARBOUR LOANS.—QUESTION.

GENERAL SIR GEORGE BALFOUR asked the Secretary to the Treasury, If he will cause a complete statement of all Harbour Loans made out of public moneys to be laid upon the Table, so that Members who attend to such questions may have ready access to the information as to the loans made and for what harbours; also as to dates, duration, rates of interest, sinking fund, the loans in perfect order, partially in order, thoroughly in disorder, with the details thereof, so as to exhibit the sums in arrear?

SIR HENRY SELWIN-IBBETSON: Sir, in the 3rd Report of the Public Works Loan Commissioners, just issued, the total amount issued by the Public Works Loan Commissioners for harbours is stated. The amount of principal outstanding is also stated, the amount in arrear being separately stated from the amount not yet due. Further on, in the Appendix, will be found a list of the harbours on account of which debts are outstanding. I have no objection to lay on the Table a Return of harbour loans with respect to which principal or interest is in arrear, and to give the conditions on which such loans were advanced. Further than this, from time to time—say at intervals of 10 years—the Treasury propose to issue, in continuation of Returns already existing, statements of the loan transactions of the Public Works Loan Commissioners and of the Commissioners of Public Works in Ireland. I trust that the object of the hon. and gallant Member will be thus met.

MERCANTILE MARINE—SPONTANEOUS COMBUSTION OF COAL—THE "ANNIE RICHMOND."—QUESTION.

MR. CHILDERS asked the President of the Board of Trade, Whether it is the case that the ship "Annie Richmond" was recently lost in consequence of total and wilful disregard of the recommendations of the Royal Commission on the Spontaneous Combustion of Coal in Ships which have been adopted by the Board of Trade; and, if he will lay upon the Table the Correspondence on this subject with the Committee of Lloyd's?

VISCOUNT SANDON: Sir, I am sorry to say that it appears from the Report of the Court of Inquiry that the *Annie Richmond* was lost through the wilful disregard referred to. I may add that the Board of Trade have done all in their power to make known the recommendations of the Royal Commission, and have adopted them, so far as securing the record of the quantity and quality of the coal shipped, and procuring information in case of inquiry by examining the Inspectors of Mines of the district in which the coal is dug up. As for the other important recommendations of the Commissioners—namely, the necessity for ascertaining the temperature of the cargo on board, and for providing surface ventilation—we have made them known as widely as possible by placard, advertisement, and otherwise, and they have also been insisted on by the Council of the Board of Trade in cases of inquiry. I shall be glad to present the Correspondence asked for, and trust it will receive the most serious attention of shippers, carriers, and insurers of coal cargoes.

CRIMINAL LAW (IRELAND)—MEDICAL WITNESSES.—QUESTION.

MR. R. SMYTH (for Mr. DICKSON) asked the Chief Secretary for Ireland, Whether his attention has been called to a report of proceedings at Quarter Sessions, Dungannon; if it be true, as stated by the Sessional Crown Solicitor, that a Circular has been issued from Dublin Castle, signed by the Under Secretary, directing that medical gentlemen should not be summoned to give evidence in cases of assault unless where life has been endangered; and if, considering the statement made by the County Court Judge, Sir Francis Brady, when commenting upon a serious case of assault, that the issue of such instructions by any officer of the Government was an absolute frustration of justice, it is the intention of Her Majesty's Government to direct that the Circular be withdrawn, and the production of medical testimony in future left to the discretion of the Solicitors for the Crown?

MR. J. LOWTHER: Yes, Sir, my attention has been called to the matter, and I find that a Circular was recently addressed by the Under Secretary, directing the attention of the Crown Solicitors to the fact, that great and frequently unnecessary expenses were incurred in connection with medical evidence by the attendance of medical gentlemen at inquests. The Circular does not go to the extent which the Question would indicate—of confining the medical evidence to cases where life has actually been endangered. I ought, however, to observe that a Constabulary Circular, dated 1865, apparently does go somewhat in that direction, and will require to be amended.

POLICE SUPERANNUATION FUNDS—LEGISLATION.—QUESTION.

SIR FREDERICK PERKINS asked the Secretary of State for the Home Department, Whether it is his intention to bring in a Bill founded upon the recommendations of the Select Committee appointed by this House, on the 26th of February 1877, to inquire into the Police Seperannuation Funds in the counties and boroughs of England and Wales, and the Acts creating and regulating the same; and, if so, whether he will inform the House when it is likely that this intention will be carried out?

MR. ASSHETON CROSS: Not this Session, certainly. It is, however, a subject which deserves, and I can say it will receive, the immediate attention of the Government.

LAW AND JUSTICE—THE HALIFAX BENCH OF MAGISTRATES.

QUESTION.

MR. HUTCHINSON asked the Secretary of State for the Home Department, Whether he is aware that, on the application of the Halifax Town Council, some additions have just been made to the Bench of that borough; whether he is also aware of the fact that, in those additions, the present Mayor is not included, although his name stood first on the list recommended by the municipal body making the application; and, whether he is aware of the reason why the Mayor was not included, and will state such reason to the House?

MR. ASSHETON CROSS: Sir, I have nothing to do with the appointment of magistrates. I know some recent appointments have been made to the Halifax Bench; but I do not know on what representations to the Lord Chancellor they were appointed, or why the gentleman in question was omitted. The hon. Gentleman is no doubt aware that the Mayor of Halifax is a magistrate *ex-officio* for his year of office and the following year.

MR. HUTCHINSON gave Notice that, on July 26, he should move—

> "That an humble Address be presented to Her Majesty, praying that Her commands may be signified to those responsible for the recommendation of persons to be appointed justices of the peace, that consideration of party politics or religious creed should be wholly disregarded in their selection."

IMPORTATION OF AUSTRIAN CATTLE FROM SPAIN.—QUESTION.

MR. ANDERSON asked the Vice President of the Council, If he can state the numbers of Austrian cattle that have been passed through Spain in order to reach England, and when and by what conveyance the importation took place; and, if the information be official, if he would lay it before the House in a Return?

Lord GEORGE HAMILTON: Sir, statements have been made, by persons concerned in the trade, to the effect that cattle from Russia and Austria have been sent to Spain, to be shipped thence to England; but we have no official information as to the numbers so moved as enables us to contradict or admit them. I may add that an Order was issued in 1872 by the Spanish Government prohibiting the landing of cattle from Austria during the prevalence of cattle plague, which proves the existence of a traffic such as that alluded to by the hon. Gentleman. The right hon. Gentleman the Member for Bradford (Mr. Forster) asked me a Question the other day, which I asked him to repeat, and which, with the permission of the House, I will now answer—namely, Whether the same steps have been taken with a cargo of animals belonging to English owners, among whom foot-and-mouth disease had appeared, since they were landed in this country, as are taken with other cargoes of foreign animals in a similar condition? I find that the regulations under which the animals in question are now in quarantine are identical with those passed and administered by the right hon. Gentleman when in Office, by which the importers of animals from scheduled countries have the option of sending them either to slaughter at the port of embarkation, or to quarantine in the place specified by the Privy Council.

EDUCATION REPORT (SCOTLAND).

QUESTION.

Sir EDWARD COLEBROOKE asked the Vice President of the Council, When the Appendix to the Report of the Committee of Council on Education (Scotland) will be presented to the House?

Lord GEORGE HAMILTON: Sir, in accordance with the usual custom, the Report on Scotch Education was first presented with the statistical tables, in order that it might be in the hands of Members before the Education Estimates were moved. The Appendix is now being completed, and will, I hope, shortly be in the hands of hon. Members.

INDIA—THE VERNACULAR PRESS ACT.

QUESTIONS.

Sir GEORGE CAMPBELL asked the Under Secretary of State for India, Whether he will add to the Papers now before the House, the dissents of Members of the Council of India to the Vernacular Press Act, so that they may be in the hands of Members before the right honourable Member for Greenwich brings on his Motion which stands for Friday?

Mr. E. STANHOPE: Sir, the proceedings of the Indian Council are usually of a confidential character, and my noble Friend desires entirely to reserve his right to grant or to refuse the production of any part of those proceedings. But, as in the particular case of the dissents of Members of that Council to the Vernacular Press Act, he is unwilling to do anything which may even have the appearance of placing any impediment in the way of its full discussion, he has authorized me to lay these Papers on the Table of the House. I have done so to-day, and I hope they may be in the hands of hon. Members before Friday evening.

Subsequently—

Mr. SHAW LEFEVRE asked the Under Secretary of State for India, Whether he will lay upon the Table of the House the Minutes written by the late Lord Metcalfe and Lord Macaulay in 1835 on the Liberation of the Press of India, and referred to in the Papers lately laid before Parliament with reference to the Indian Press Law?

Mr. E. STANHOPE: Sir, I will lay upon the Table to-night the Papers referred to in the Question, together with the Minutes written on the same occasion by two other Members of the Legislative Council.

THE FOREIGN OFFICE—TEMPORARY WRITERS.—QUESTIONS.

Sir JOSEPH M'KENNA asked the Under Secretary of State for Foreign Affairs, Whether the payment of tenpence per hour, which is said to have been the scale under which Charles Marvin was lately employed in the

Treaty Department of the Foreign Office, is that which prevails for the remuneration of writers in the departments of the Foreign Office; and, whether, if so, he will review the scale of remuneration for persons to whom confidential information is intrusted?

MR. BOURKE: Sir, the Foreign Office, under the direction of the Treasury, apply to the Civil Service Commissioners when they want a writer for supplementary work, and the remuneration of the writer, under these circumstances, is settled by the Commissioners at 10*d.* per hour, with permission to add special rates for other special duty. The particular writer employed lately in the Treaty department of the Foreign Office received 10*d.* an hour for copying, and the special rate of 4½*d.* per folio additional for copying French. He was the only one that has been lately employed in the Foreign Office, although occasionally since the present Government have been in Office writers have been employed in the Consular department as well as in the Passport department. With regard to the last part of the Question, the remuneration being settled by the Civil Service Commissioners, under the instructions of the Treasury, it does not lie with the Foreign Office to re-consider or re-settle the rate of remuneration.

MR. CHILDERS asked, Whether the employment of writers at 10*d.* an hour and 4½*d.* a folio was in accordance with the practice of the Foreign Office for the copying of important and strictly confidential communications?

SIR JOSEPH M'KENNA desired to give Notice that on an early day he should call the attention of the House to the subject.

SIR H. DRUMMOND WOLFF asked, Whether writers of this class were employed in any confidential departments of the Foreign Office, such as the Political department?

MR. BOURKE: Sir, the Question just asked is almost identical with that already put by the right hon. Gentleman the Member for Pontefract. As I am not personally responsible for the arrangement of the business of the Foreign Office, it being under the superintendence of the Secretary of State, I do not think the House will expect me to answer the right hon. Gentleman's Question off-hand, as it would be right to communicate with the Secretary of State before doing so; but if the right hon. Gentleman will kindly give Notice of his Question, I will endeavour to answer it on another day.

MILITIA RESERVE ACT — NON-COMMISSIONED OFFICERS.—QUESTION.

EARL PERCY asked the Secretary of State for War, Whether it is the fact that the non-commissioned officers of the Militia Reserve are at present receiving the same rate of pay as the privates of the Reserve; and, if so, whether he will consider the propriety of their rank in the Militia being recognized either by an increased rate of pay or by a larger bounty on the completion of their service with the regular forces?

COLONEL STANLEY: Sir, the Militia Reserve Act (30 & 31 *Vict.*) makes no provision for Militia Reserve men entering upon Army service carrying with them the rank which they held in the Militia at the time of their entering upon such service, although it does prescribe that on their return to the Militia they shall resume their position. The Regulations provide that they shall be treated and paid as privates, on entering upon Army service, whatever their rank in the Militia may be. Considering that a very large proportion of the non-commissioned officers of Militia—in some Militia regiments all—are Reserve men, it would be impossible to permit all to carry with them into the Army the rank they have in the Militia; but as the fact of their joining the Army gives an increase to its number of non-commissioned officers, it is but fair that the Militia non-commissioned officers should to some extent share in the increase. This has been acknowledged, and a circular letter was addressed to general officers commanding districts at home in May last, desiring officers commanding regiments, so far as they were able, to promote to the rank of non-commissioned officers such men of the Militia Reserve as had held non-commissioned rank in the Militia, provided they were good and efficient men. As regards the latter part of the Question, we can only give a higher rate of pay to such Militia Reserve men as hold the position of non-commissioned officers in the Army; and the bounty is not given to a Militia Reserve man for his actual service in the Army, but for his liability thereto.

PEACE PRESERVATION (IRELAND) ACT —SEARCHES FOR ARMS—QUESTIONS.

MAJOR NOLAN asked the Chief Secretary for Ireland, If in Ballinasloe the houses of Mr. Matthew Harris, and of Mr. Michael O'Sullivan, were visited by police at 3 a.m. on the 14th June, and a search made for arms; whether at the time of this search Mr. Harris had a licence to keep and to carry arms in an adjoining district; whether at the same time a search was made for documents in the above houses; and, if so, whether instructions were given that private documents and business letters should be examined by an ordinary constable; if the persons who supplied the information on which the search warrants were issued by the Lords Justices had made known to the Lords Justices the facts that Mr. Harris was secretary to a tenant's association, and had lately in that capacity been summoned to give evidence before a Committee of this House now sitting on the land question; if the Lords Justices were not so informed, can he state if any explanation has been assigned why these facts, notorious in the district, were not brought under their notice when their signatures were obtained; and, whether the police were instructed to inspect on the warrant granted any strictly legal communications addressed to Mr. Harris in his capacity as secretary or as a witness before a Committee of this House on the land question?

MR. J. LOWTHER: Sir, I find that in the houses indicated by the hon. and gallant Gentleman, a search for arms was made on the day named, but at a slightly later hour—namely, a quarter to 4, though that is not a very material point. It appears that in the year 1874, Mr. Harris obtained a licence to keep and carry arms in an adjoining district; but the authorities had felt themselves obliged upon very strong grounds to refuse a similar request made by him in the district where he now resides. No instructions were given authorizing a search for documents. As to whether the Lords Justices were informed that Mr. Harris was secretary to a tenants' association, and had been summoned to give evidence before a Committee of this House, I find that they were not. The reason why they were not so informed was, that those facts had no connection whatever with the matter in hand. The police were not instructed to inspect any documents or to concern themselves in any way with Mr. Harris's position as secretary to any association or body, nor with any evidence he might have given before a Committee or any other tribunal.

MAJOR NOLAN said, his Question was not, whether instructions were given to search for documents, but whether they were searched for?

MR. J. LOWTHER, in reply, said, he could only speak as to the instructions, and not as to the fact.

MAJOR NOLAN said, he should repeat the Question on an early day, as he understood that a search was made.

IRELAND—THE RIOTS AT BELFAST.

QUESTION.

MR. ERRINGTON asked the Chief Secretary for Ireland, Whether further rioting is apprehended at Belfast, and what precautions have been taken to keep the peace; how many stipendiary magistrates and extra police force have been sent there; whether the Corporation of Belfast have power to pass bye-laws prohibiting public processions within the borough; whether such bye-laws have not been passed for Liverpool and other towns; and, whether, considering that such processions are at Belfast so often the occasion of riots, he will impress upon the Corporation the necessity of using their powers to prevent them?

MR. J. LOWTHER: Sir, I certainly hope that no further riot will take place at Belfast; but, nevertheless, we have thought it right to adopt certain measures of precaution, and three additional stipendiary magistrates and 300 extra police have been sent to the town. I am advised that the Corporation of Belfast has, subject to the assent of the Lord Lieutenant, power to pass bye-laws for the maintenance of order and good government in the town, which I am led to believe would include a prohibition of such processions or gatherings of any kind as are calculated to lead to a breach of the peace. The attention of the local authorities has already been called to the advisability of taking measures of precaution in that direction. I am not aware what is the case at Liverpool. I have made inquiries, but have not as yet received an answer.

PARLIAMENT—ARRANGEMENT OF PUBLIC BUSINESS.—QUESTION.

MR. E. JENKINS desired to ask, What would be the course of Business on Friday next? He had on the Paper a Notice of Motion relating to Ritualistic practices in the Church of England, and the right hon. Member for Greenwich (Mr. Gladstone) had one relating to the Vernacular Press Act of India. It was not his intention to give way to the right hon. Gentleman; and he, therefore, wished to ask the Chancellor of the Exchequer, Whether he intended to have a Morning Sitting; and, if so, whether he would undertake on behalf of the Government that there should be a House on Friday evening?

MR. DILLWYN asked, What would be the Business to-morrow?

THE CHANCELLOR OF THE EXCHEQUER, in reply, said, to-morrow the first Order was the Roads and Bridges Bill. If that did not take long, probably they would go on with the Admiralty and War Office Bill; but he was not quite sure. On Friday, at the Morning Sitting, they would go on with the Valuation Bill, or the Highways Bill. At the Evening Sitting, he had no doubt they would proceed with the interesting Motions of which Notice had been given.

TURKEY—INSURRECTION IN CRETE. QUESTION.

MR. HAYTER asked Mr. Chancellor of the Exchequer, Whether he has any further information to communicate to the House with reference to the state of affairs in Crete, more especially with reference to the measures which the Turkish Government are adopting to crush the insurrection in the neighbourhood of Canea? The latest telegram received stated—

> "The state of affairs at Canea was critical. The Mahomedans were armed and encamped outside the town, and demanded the recall of Salieh Pasha, the Governor of Crete. Adosides Pasha had called a meeting of the leading Mussulmans and ordered them to compel their co-religionists to disperse, or they would be treated as rebels. They had not yet obeyed the summons. Communication with the interior of the island was interrupted."

THE CHANCELLOR OF THE EXCHEQUER, in reply, said, the latest intelligence the Government had received had come from Lord Salisbury, and was dated the 28th of June. Information had been received of a serious engagement at Apocorona, and in consequence of the serious misconduct of the Pasha representations were made to Sir Austen Layard, and the Pasha had been superseded. He understood that Lord Salisbury, on the same day, desired Sir Austen Layard to make strong representations of the strong feeling which Her Majesty's Government were aware existed upon the subject, and to urge on the Porte the strictest moderation and the repression of outrages.

ORDERS OF THE DAY.

CONTAGIOUS DISEASES (ANIMALS) BILL—[*Lords.*]—[BILL 204.]

(*Sir Henry Selwin-Ibbetson.*)

SECOND READING. ADJOURNED DEBATE.

[FOURTH NIGHT.]

Order read, for resuming Adjourned Debate on Amendment proposed to Question [24th June], "That the Bill be now read a second time."

And which Amendment was,

> To leave out the word "That" to the end of the Question, in order to add the words "in the opinion of this House, the slaughter at the ports of landing of all fat cattle from the Continent would restrict the supply and increase the cost of food, and should therefore not be made compulsory under all circumstances by Act of Parliament,"—(*Mr. William Edward Forster,*)

—instead thereof.

Question again proposed, "That the words proposed to be left out stand part of the Question."

Debate *resumed.*

MR. RODWELL said, he desired to lay before the House the reasons which had induced him to support the Bill. It appeared to him the Government had undertaken an invidious duty in bringing forward that measure. They had been attacked out-of-doors most unfairly, and their motives had been misrepresented by active political organizations, who, desirous to discredit the Government, started the cry that this was a re-actionary measure. He held that after the Report of the Select Committee of last year, the Government had really no alternative but to introduce the Bill. He congratulated the House on the practical harmony that had prevailed on both sides, or, rather, the absence of anything like heated feeling during the discussions; and he thought the harmony of their proceedings might be traced to the moderate tone of the speech delivered by the right hon. Gentleman the Member for Bradford. Only in the minds of some fervid people outside the House was it really believed that the Government wished, by a side wind, to re-introduce Protection. Those who said that there was any analogy whatever between the present Bill and the measures which were formerly supposed to support what was called protection to native industry must be either very shallow reasoners, or be very ignorant of the subject. The real question for consideration raised by the Bill was, how Parliament could best secure an ample supply of meat at a moderate price. That was mainly a consumers' question, and if he were to go into statistics, he thought he could prove that statement to the satisfaction of the House. But he was not going into statistics. They had been quoted over and over again, and he thought they could draw direct deductions from them which would not mislead them. He denied that it was to the interests of the farmers to keep up the present high price of meat. He had said that it was a consumers' question. They knew there had been a diminution of the number of cattle in the country, and they knew also that the price of food had increased. He contended that such diminution had occurred in consequence of imported disease. What the farmer said was this—"We are suffering now from the effects of these diseases. Our confidence has been destroyed. Only help us to carry on our business as we wish, and we care nothing for importation of dead meat or live cattle so long as they do not bring with them disease, which has been so prejudicial to us for years past. Only give us this security, and we undertake to give the people of this country food at a fair price." All that was wanted for that purpose was precaution, and it was to be found in the Bill. All the Chambers of Agriculture had pronounced in its favour, and he should like to ask this question—whether the unanimity which had prevailed throughout the agricultural body in the country ought to be ignored? It might be said that they were personally interested; but he had heard no one impute to the agricultural interest that this movement had been brought forward for the purpose of putting money into their own pockets, and that if they drove out the competition caused by the foreign cattle, the price of meat would be raised to their advantage. There never was a greater fallacy The farmers were not benefited, and could not be benefited, by the high prices of meat. Fair remunerative prices were better for them than extravagant prices. It should be remembered that when the price of meat was high, the price of store cattle was far beyond the proportion that the manufactured meat produced. What the farmers wanted was security for the carrying on of their business with freedom from those fatal diseases to which their stock was now subject. The diminution of cattle by disease had been admitted. The right hon. Member for the University of Edinburgh (Mr. Lyon Playfair) had endeavoured to explain the diminution away, by saying that it did not arise from the fact that want of capital prevented the farming interest from running the risk of breeding stock—which was the cause assigned by the farming interest—but because farmers had to sell their cattle in order that they might pay their rent. That might have happened in one or two cases; but he defied anyone to say that that was the general cause. The agriculturists had expressed their willingness to submit themselves to any measure, however stringent, which might be deemed necessary, provided they were guarded, as far as could be, from the dangers to which they were now exposed. How could a greater test of their sincerity be required than that which they had already given, and beyond those which were contained in the Bill? In the county of Norfolk, for instance, the farmers had for the last two years been subjected to the most stringent regulations, and the result was, that if the foot-and-mouth disease existed at all in that county, it did so to the very smallest possible extent; and they said, and fairly—"What is the use of clearing this country of disease by your restrictions, if you let in another stream of disease upon it from foreign countries?" There should, in fact, be mutual concessions made on the part of the foreign importer and on that of the home producer, and concurrent action. Desperate diseases required desperate remedies, and what the farmers said was—"If you will help us in one way, we will help you in another." The question had been raised whether disease could be stamped out by restrictions, however severe, and various opinions, speculative and theoretical, had been quoted on the subject; among others some expressed by Professor Brown, confessedly a very high authority. But Professor Brown could only give an opinion like other people. There were opinions just as good on the other side. But there was also the opinion of Professor Brown himself on the other side. In 1873 Professor Brown, in his Report which appeared in *The Royal Agricultural Society's Journal* for 1874, said—

> "Our position as an importing country forbids us to hope for an eradication of the distemper, after more than 30 years' constant experience, by the adoption here of measures on its first appearance in the country;"

And he went on to say—

> "Nor could we expect its non-importation, unless we consented to hamper the foreign trade by insisting on the slaughter at the places of landing of all foreign cattle imported."

Well, that was Professor Brown's opinion, and it was strongly in favour of the legislation now proposed. Professor Brown then proceeded to show that restrictive measures in this country had been effectual in the diminution of foot-and-mouth disease and pleuro-pneumonia, and added that—

> "For a period of six months in 1867 the disease was seldom seen in the Metropolitan districts, and a like immunity was enjoyed by cattle all over the country."

Why, then, if they could rely on these statements, should not like measures in each case be now attended with like beneficial results? The more subtle the poison was, the more stringent ought to be the measures adopted. It was a fact that the disease had always first shown itself within a radius of certain ports—such as Harwich, Deptford, and Hull—indicating clearly from what quarter the disease came; for Professor Brown further reported that in 1875 foot-and-mouth disease was widely spread on the Continent, and that in one month no fewer than 1,600 diseased foreign animals were landed at our various ports. Mr. Duguid, veterinary officer of the Royal Agricultural Society, had made statements to the same effect, showing that while restrictions had saved the English flocks and herds from danger to a great extent, our Continental neighbours had had to contend with widespread outbreaks of foot-and-mouth disease. All the statements that had been made by eminent authorities tended to show that great risk was run by the importation of foreign cattle, and that where restrictive measures had been enforced the disease had not spread. Cause and effect followed directly, and evidence both of a positive and negative character placed the matter out of the region of doubt. The gravity of the question was not to be judged of by the death-rate. It was a question of barrenness, of loss in parturition, and of falling-off in condition, entailing the re-fatting the cattle. He could see no reason why the experience and the feelings of those who had knowledge of, and were interested in, this question should be ignored; nor could he regard as friends to the country those who advised the Government to stand by in an attitude of apathy and indifference when a question like the one now under discussion was brought forward. As far as he was personally concerned, he certainly should not support the Bill if he did not believe that it would enable the home producers of meat to produce it in larger quantity and at a lower price than was the case at present. When the Bill was discussed last, it was stated that it would not be possible to import either live or dead meat from America in good condition during the months of July and August, owing to the fact that the vessels had to cross the Gulf Stream. Since the delivery of the speech in which this statement was made, he had cut out of *The Standard* of Saturday a letter from Mr. Gillett, giving some facts as to the importation of American meat to Europe, and stating that he had imported that week 1,100 quarters of prime beef in fine condition, and it only realized 3½*d.* for sides of beef per lb. in the London and country markets. Mr. Gillett added that any Member of the House could see on Saturday morning in the Metropolitan Meat Market, Smithfield, such a prime lot of American beef, in fine, sweet condition, and at such a low figure, as would alter their opinion as to the ability of American shippers of beef to supply all Great Britain with sound, prime beef, in all weathers. These facts confuted the assertion that the effect of the Bill was to raise the price of meat. He had also extracted from an American paper a statement as to the number of cattle entering the Chicago market, and showing that excellent American beef could be imported into Liverpool at 4½*d.* a-lb. The agriculturists were not afraid of this competition. They knew they must meet it, but they did not want to be handicapped with the importation of meat and disease at the same time. Another objection to the restrictions contained in the Bill was, that they would have the effect of bringing cattle to forced sale. This was not so, because, although the cattle must be slaughtered at the port of disembarkation, there was nothing in the Bill to prevent the importer keeping the cattle alive as long as he pleased; or, in other words, until he found a market for the meat. The importer of foreign cattle would, therefore, be in no worse position than the grazier who sent up oxen from Norfolk, and who, if he did not find a ready sale, must either take his cattle back to Norfolk, or keep them in London until a late market; and in either case he would be incurring but the same expense. The hon. Member for Southampton (Mr. Giles), early in the debate, objected to the Bill on the ground that the restrictions contained in it would decrease the value of the market, in the construction of which his constituents had expended a considerable sum of money. So far from thinking this objection a valid one, he (Mr. Rodwell) thought the hon. Gentleman's constituents ought to join in supporting the Bill, because it would have the effect of freeing their market from the danger of disseminating disease, and induce buyers and sellers to attend freely. After the best consideration he could give to the subject, and after weighing the objections he had heard, his only feeling was that the Bill was not stringent enough, and he was disposed to concur in the criticism passed upon the proposed home regulations by the noble Lord (Lord Frederick Cavendish) in condemning these as not sufficiently severe. He hoped, however, that the Bill would go into Committee, and there its provisions might be altered. The principle of the Bill was a sound one. Within the last three or four years, there had been a great change of public opinion on this subject. Instead of thinking, as we did a short time ago, like the hon. Member for Carlow (Mr. Kavanagh), that these were trifling diseases incident to the bovine race, the public now believed that nothing but strong measures could relieve us from this dreadful scourge of diseases, which had been originally imported from foreign countries, and which would continue to be imported so long as we allowed the same elasticity to prevail as at present existed with reference to the importation of live cattle.

MR. DODSON said, he much admired the happy stroke of audacity of his hon. and learned Friend who had just spoken (Mr. Rodwell), in appealing to the unanimity which he supposed to exist among the supporters of the Bill. He (Mr. Dodson), like his hon. and learned Friend, was anxious that the Bill should go into Committee; but one of his reasons was, that he might see what the different demeanour of the supporters of the Bill then would be. The hon. Member for Mid-Lincolnshire (Mr. Chaplin) and the hon. Member for Clitheroe (Mr. Assheton) desired stringent regulations for stamping out the disease; but the hon. and gallant Member for West Sussex (Sir Walter B. Barttelot) doubted whether they could be put in force. The hon. Member for Carlow said those now in the Bill were too strong for him, and the hon. Member for Limerick (Mr. Synan), that for England, as an importing country, they might have these restrictions if they liked, but for Ireland, an exporting country, they would never do. In *The Times* of to-day there was a letter from Mr. Fleming, the high authority to which the hon. Member for South Norfolk (Mr. Clare Read) had appealed, and in that letter Mr. Fleming said that the same measures which were to be applied to the cattle from foreign countries should also be imposed on the cattle from Ireland. He hoped hon. Members from Ireland would take into account the opinion of that high authority. The hon. Member for Oxfordshire (Mr. Harcourt), in his very interesting speech, regretted that the Bill did not provide for a foreign dead-meat trade pure and simple, and that even with quarantine, any store stock were admitted alive; the hon. Member for Gloucestershire regretted that an exception was to be made by admitting animals from the United States and Canada, while the hon. Members for South Leicestershire (Mr. Pell) and West Sussex (Sir Walter B. Barttelot) were not indisposed to make concessions to foreign animals, and the hon. Member for the Tower Hamlets (Mr. Ritchie) was still more strongly in favour of such concessions. The hon. and learned Member for Cambridgeshire said that farmers could not be accused of wanting Protection and dear meat, and vindicated a certain class of farmers on the ground that if meat were dear, they had to pay dearer for their store stock. His hon. and learned Friend had said that for the grazier; would he say as much for the breeder? He (Mr. Dodson) was certainly not going to accuse the farmers of wanting Protection. If there were any feeling for Protection lingering in this country, it might be looked for—it must be looked for—in other interests than the agricultural interest. He did not say that there might not be traditions in favour of Protection lingering in farmhouses here and there; but he said that belief in Protection no longer existed as a living influence amongst the agricultural classes, and it was not that of which they were thinking. He spoke on this matter not without experience, insomuch as since the Act of 1869 he had been chairman or deputy chairman of the committee on cattle diseases in the county in which he lived, and he had the misfortune of having had foot-and-mouth disease in his own dairy, and had experienced the annoyance and loss arising therefrom; but there was nothing to be gained from exaggerating the matter. He must demur, therefore, to the statement which had been made over and over again in the course of the debate that the diminution in the number of cattle in this country of late years was to be attributed to the fear of foot-and-mouth disease. He did not say that that cause had not operated to a certain extent, but it was only to a limited extent, and it was very far from being the main cause. If any hon. Member would study the agricultural statistics from year to year, he would find that the number of animals depended upon the nature of the season, and that in 1868 there was a very large number of cattle in the country, and that the number of sheep was the largest we ever had. Then we had two dry seasons in succession, in which grass and water were scarce, and the number of cattle and sheep decreased very sensibly. They increased again in 1871, 1872, and 1873, until 1874, when we had the largest number of cattle we ever had, and the largest number of sheep, with the single exception of 1868. Since 1874 the number had been decreasing; that, however, was not owing particularly to fear of foot-and-mouth disease, for in 1875 and 1876 there had been very little of that disease, but because keep was scarce and meat was dear. It had, therefore, paid better to send animals to the butcher than to maintain them. If there were to be a succession of years with abundant keep, and a good price for meat, the number of animals in the country would increase in spite of the apprehension of foot-and-mouth disease. The hon. and learned Member for Cambridgeshire (Mr. Rodwell) said you might stamp out this disease if you had stringent restrictions, and that when the cattle plague restrictions were enforced you had little foot-and-mouth disease. But was it worth while to pay the price? The right hon. Gentleman the Secretary of State for the Colonies said that, in the proposals of the Government, they were carrying out the measures recommended by the Select Committee of last year, especially with regard to the foot-and-mouth disease. But the Bill, as far as stamping out diseases at home, was certainly not based on the recommendations of the Committee of last year. The restrictions in the Bill were not sufficient if they wished to stamp out foot-and-mouth disease. There was no power of creating a district of regulating movement, or of suspending fairs and markets on account of foot-and-mouth disease. The quarantine of foreign animals was limited not to a minimum of 28 days, but to a minimum of 14 days, and what use was that against pleuro-pneumonia? In giving evidence before the Committee on the subject of foot-and-mouth disease, the hon. Member for South Norfolk (Mr. Clare Read) had said that he was in favour of isolating for 28 days, and of suspending fairs and markets and transit. Were these restrictions in the Bill. If the restrictions recommended by the Committee had not been carried out with reference to the home trade, on what grounds could importers and consumers of meat be fairly asked to submit to the restrictions on foreign imports? Concessions had been made with regard to imports from the United States and Canada; but was Texas cleaner than Sweden, Norway, Spain, Portugal, and Denmark? Then they were told this measure would not affect the supply or the price of meat. That was all very well, coming from Gentlemen like the hon. and learned Member for Cambridgeshire, who represented purely agricultural constituencies, or who were producers of meat, breeders and graziers; but what did the importers, who were most vitally interested, say? They entirely differed from the home producers of meat on this question. What, again, did foreign Governments say? They almost all remonstrated against these restrictions. Even the Select Committee of last year only ventured to say, that if there were immunity from these two scourges, such an increase might be anticipated in breeding as would in the course of a few years be large enough to make up for whatever diminution of supply might be occasioned by new restrictions in the imports from foreign countries. The hon. Gentleman the Chairman of the Committee (Sir Henry Selwin-Ibbetson) made a similar statement, but more guardedly, because he contemplated admitting cattle from the five countries above named. The Secretary of State for the Colonies said—

> "If compulsory slaughter prevented the importation of disease, the protection of our flocks and herds would far outweigh any possible slight increase in the price of food."

That could bear no other meaning than that it was justifiable to increase the price of food to human beings, in order to benefit the lower animals. He went on to say that the restrictions on cattle from Belgium and Germany in 1877 had raised prices in the Metropolis. Yet the hon. Gentleman, in his peroration, declared—

> "The Bill was not proposed in the interests of any class, but with the object of increasing the food of the people;"

although, in the argumentative part of his speech, he told them that it would raise the price of meat. The Bill was based upon the theory that if we had stringent restrictions at home to stamp out disease, and prohibit its importation from abroad by slaughter at the port of debarkation, we should thus be able to abolish disease in the country and keep it out. That, although only a theory, was no doubt in itself a tenable theory; but the Bill did not provide those stringent restrictions for dealing with the disease at home, nor provide effectually against its introduction from abroad. The restrictions, while insufficient for these purposes, would interfere with freedom of trade. They would strike a blow at the live, in favour of the dead-meat trade; and yet it had been shown that while the former was a well-established trade, which for 20 years had been steadily increasing, and which in 1876 had grown to £7,000,000 a-year; the latter was as yet but a doubtful experiment. The number of cattle imported for food in 1876 was estimated to equal 25 per cent of the number available for the butcher, which England produced in the same year. The hon. Member for South Norfolk had stated that, in 1877, the dead-meat trade amounted in value to £4,117,000. He (Mr. Dodson) had been surprised at that statement being made, and he had carefully gone through the Board of Trade Returns with the view of ascertaining its correctness, and he had found that in that year the value of the trade only amounted to £1,690,000. It would appear, however, that the hon. Member had included in his calculations the sum of £1,438,000, the value of imported preserved meat, in addition to the sum of £408,000, that of imported salt beef, and £584,000, that of imported salt pork.

MR. CLARE READ explained, that, having been requested by the right hon. Member for Bradford to move for a continuation of the Return presented to the Committee last year, he had done so. The Return was in the Library, and open to the inspection of any hon. Member.

Mr. DODSON said, that he wondered that his hon. Friend did not include the importation of bacon and hams in his statement of the extent of the dead-meat trade; he was just as much entitled to do that, as to claim preserved meat or salt beef and salt pork as bearing on the question. In that case, he might, with equal justice have included in his calculation £5,699,000, the value of imported bacon, and £1,152,000, that of imported hams. There could be no doubt that the balance of convenience, especially in hot weather, was in favour of the live cattle trade, because they could be moved about from place to place without injury, which was not the case with dead meat. A good deal had been said as to the advantages which were offered by the dead Meat Market of London; but since entering the House that evening, he had had a letter put into his hands to the effect that within the last few days 23 tons of meat had been seized and condemned, and that a large quantity would be spoilt that day; in fact, the writer went on to say that the Market was full of spoiling meat, notwithstanding that, owing to the weather, the butchers were glad to get any price that was offered for their meat. American meat had also been sold at the same period at a loss, and importation would consequently decrease. These facts would give some idea of what the price of meat would have been if a supply of live animals, at the trade in which this Bill struck a blow, had not been available. The fact was, as he had said, that the Bill would strike a heavy blow at the cattle trade, which was an established one, in favour of the dead meat trade, which was an exceptional and an experimental one. The American dead meat trade was in a great measure experimental, and it was evident it could only be relied on in winter, just as the live cattle trade was better adapted for the summer. Figures had been cited by the hon. Member for South Norfolk in order to show that the amount of dead meat imported was on the increase. Now, he had himself examined the Returns relating to what was really fresh meat, and he found that there was a slight diminution in the quantity imported in the first five months of 1878 as compared with the same months in the previous year. It was clear, therefore, that the trade had not been found so very profitable as to lead to an extension of it. He also found that the number of sheep and calves had decreased, but the number of oxen imported had increased, so that the amount of live meat imported showed an increase, as did also that in salt meat over the corresponding five months of last year. He would ask whether the dead meat trade was not chiefly successful in the case of large animals, and whether it was not less well suited to small animals, such as sheep and to offal? The Bill as it stood at present did not give us absolute security against disease. All it did was to increase the present restrictions, and the question we had to ask ourselves was this—"Are these additions to the present restrictions worth the cost which we shall have to pay for them?" A concession had been made with regard to the United States and Canada. Those countries were not altogether without suspicion of disease; but most of the supporters of the Bill consented to trust the discretion of the Privy Council in regard to them. Why, then, might we not also trust the Privy Council in regard to Sweden and Norway, which were quite as clean as the United States and Canada? Why could it not likewise be trusted as to Denmark, Spain, and Portugal? Why, indeed, could we not go further, and leave the matter altogether to the discretion of the Privy Council as heretofore. Certainty of freedom was an excellent thing for trade; but he questioned whether certainty of restrictions was. Neither the importers of cattle, nor the foreign Governments, nor the Committee of 1877, nor the Secretary to the Treasury, nor the Secretary for the Colonies, believed that the proposed restriction would not affect the price of food—at all events, for the present. Suppose, however, that every one of these authorities was wrong, and that the price of meat would not be affected, it would yet be impossible to persuade the consumers that the restrictions on the importation of foreign stock would not raise the price of meat; and, if so, was it desirable that the mass of the population of the country should be imbued with the idea, even if it were mistaken, that the price of food was being artificially kept up through legislation which was initiated by a Government supported by the producers of meat? He ventured to hope that, after the debate, and seeing the diversity of opinion which prevailed on the subject, the Government would be disposed to make some concessions in Committee as regarded, at least, some of the foreign countries. The Government could not re-insert the stringent home restrictions it had itself struck out in the Lords. If they did so, they might stultify themselves, as the House of Lords might strike those clauses out again when the Bill returned to the Upper House. As the Bill stood, it would certainly have the effect of hampering the foreign trade, while it was by no means certain that, modified as the foreign restrictions were, it would prevent the introduction of disease from abroad, and it would not, at all events, lead to the stamping out of foot-and-mouth disease at home. What, then, would the Bill do? It appeared to him that the principal effect of it would be two-fold. It might amuse a certain number of the farmers, who did not closely follow these debates, and had not studied the difference between the measure and the recommendations of the Committee; it might amuse them with the idea that they were getting security for the stamping out of diseases at home, and security for preventing its introduction from abroad—neither of which were to be found in the Bill—and it would have the further effect of taking off the Government the responsibility of watching and scheduling, and unscheduling countries according to their condition, throwing the responsibility on the shoulders of Parliament, which would have to take upon itself the odium of laying down of a hard-and-fast line, that the consumers would never be persuaded had not the effect of raising the price of meat.

MR. HERMON, as the Representative of an important borough, said, he could not regard the Bill otherwise than as a measure of great importance, while he entertained no doubt that the desire of the Government, as stated by themselves, was to secure as far as possible a cheap and abundant supply of meat for the people. Of course, there might be differences of opinion as to whether the Bill would effect that object. He had heard, he might add, of pressure having been put on some borough Members to induce them to oppose the Bill; but for himself, he could only say that he had not received a single letter from his constituents on the subject, although, from the trials which they had recently gone through, they were peculiarly interested in the price of meat. As to the Resolution of the right hon. Gentleman the Member for Bradford (Mr. W. E. Forster), it might, he thought, very well form matter for serious consideration in Committee; but if it were now to be carried, the result would be to defeat a measure which, according to the right hon. Gentleman himself, contained many valuable provisions. He could not, therefore, record his vote in favour of the Resolution. He thought the stringent restrictions as to the importation of foreign cattle might be modified with advantage, and that the regulations as to our home stock, particularly those which related to foot-and-mouth disease, might be made more stringent. He should like also to know why, if fat cattle were condemned to be slaughtered at the port of debarkation, that cattle which were more dangerous should be allowed to go to different parts of the country? Remembering, as he did, the great destruction of cattle caused by the rinderpest, he was anxious that all reasonable restrictions should be placed on the importation of foreign stock; but he did not think the present Bill would accomplish the two objects aimed at—namely, the keeping out of rinderpest from abroad and the stamping it out at home. He wished, however, to urge on the Government the necessity of leaving some discretion in the hands of the Privy Council. That was a suggestion which would not, he believed, meet with much favour; but it should not be forgotten that the Privy Council had in former years performed the duties which had devolved upon it with a diligence and energy which gave great satisfaction to the country, although they had not been able to stamp out disease. As to the scheduled countries, he hoped his hon. Friend the Secretary to the Treasury would consider whether, when allowing the introduction of live animals from Canada and the United States, it might not be well in a matter of such vital importance to the public that Spain, Portugal, Denmark, and Sweden should be placed upon the most favourable footing, instead of being shut out altogether as was proposed, and that, as he had already said, some discretion should be given to the Privy Council so to modify the restrictions as to prevent the slaughter of animals when there was really no necessity for it. Having expressed these views, it might be asked why he did not vote for the Resolution? That was a fair question, and he was prepared to answer it. He could not vote for the Resolution in its present abstract shape; but he should be prepared when the Bill got into Committee to do his utmost to modify its provisions; and if some substantial alterations were not made in it before the third reading, he should be as ready to vote against it as he was now to record his vote in its favour. In conclusion, he hoped his hon. Friend the Secretary to the Treasury would be able to give them some information as to the points upon which the Government would be prepared to modify the Bill.

Mr. RYLANDS believed that, according to the Forms of the House, it would not be possible for him to move that the Bill be read a second time on that day three months. As he was not able to move the rejection of the Bill, he had no hesitation whatever in supporting the Amendment of his right hon. Friend the Member for Bradford (Mr. W. E. Forster), because the Amendment had this good quality, that it condemned the worst provisions of the Bill. He might observe that, with regard to a similar Amendment in the other House, the Lord President of the Council strongly objected to it, because he said it was diametrically opposed to the essential spirit of the Bill, and he seemed to insist upon the Bill, the whole Bill, and nothing but the Bill. If that were the spirit in which the Government, or the Department of the Government which was responsible for the Bill acted, he must certainly say that he felt some regret that Conservative Members who were opposed to the "essential spirit" of the Bill were not prepared to vote against the second reading. His right hon. Friend the Member for Bradford seemed to justify his Amendment on the ground that he did not wish to prevent the second reading of the Bill, because there were some good things in the measure; while the hon. Member for Preston (Mr. Hermon) had said that was the reason why he was going to vote against the Amendment; but nobody could have listened to the calm and admirable speech of the right hon. Member for Bradford, without feeling that the bad provisions of the Bill far outweighed the good. He (Mr. Rylands) did not think that they should meet it by an abstract Resolution or Amendment, but that a more straightforward course would be to vote against the second reading. If they did reject the Bill, there would be no great disadvantage arising in consequence. There was no alarm at the present time about the cattle disease in this country, and there was no sufficient reason shown by Her Majesty's Government for bringing forward the Bill. The Privy Council, in reference to cattle disease, had considerable power, while, in regard to rinderpest, it had absolute power. His hon. Friend the Member for Preston (Mr. Hermon) had called attention to that frightful scourge of rinderpest which, a few years since, caused such great losses in this country; but the Bill was not required to deal with rinderpest, the power of the Privy Council being actually in existence, while this Bill did not increase it. Let it be understood that, so far as they who were opposing the Bill were concerned, they went entirely with hon. Gentlemen on the other side of the House in their willingness to adopt the strongest possible measures to stamp out rinderpest—either by home restrictions, or strong restrictions on importation. Let there be no mistake about that. But this Bill was really one that was unnecessary on account of rinderpest, and in its new provisions was to all intents and purposes one practically for the prevention of pleuro-pneumonia, and chiefly foot-and-mouth disease. His objections to the Bill were that it was a dishonest Bill, because it came before them under false pretences; its provisions were opposed to the weight of evidence given before the Committee of 1877, and before the Lords' Committee of this year, and it did not carry out the recommendation of these Committees. It was also absolutely inconsistent with the opinions of the Members of the Government who had charge of the Bill. He was sorry to see that his hon. Friend the Secretary to the Treasury (Sir Henry Selwin-Ibbetson), had walked out of the House, because he was going to say that the hon. Gentleman had recommended a Bill which was entirely contrary to the opinions which he himself expressed last year. He would ask him where he could find the arguments which had converted him from the opinions he held last year, and which were opposed to the provisions embodied in the Bill? The Bill was also inconsistent with the views expressed by the Lord President of the Council (the Duke of Richmond) on the 19th March, 1877, and he would recommend the speech to any hon. Friend who would consult *Hansard.* In that speech, the Duke of Richmond condemned every provision of this Bill; and, therefore, he (Mr. Rylands) said, that the present measure came before the House under false pretences, because it was contrary to the express judgment of the Members of the Government who had charge of the Bill. Other Members of the Government had sought to recommend the Bill to their attention by statements which were misleading. The Secretary of State for the Colonies had said that the proposals of the Bill were based upon the recommendations of the Committee of 1877; but it was entirely incorrect to say that the present Bill was based on these recommendations. The noble Lord the President of the Board of Trade, in order to justify the course the Government had taken, and to prove that they could not be justly accused of the desire to encourage Protection, said—

> "When they came to deal with large producing countries such as Canada and the United States, they kept the door wide open to them to send not only dead meat, but their live cattle to walk over the land as they liked."—[See *ante*, p. 246.]

But the Bill must be looked to as it was brought in by the Government, and in its original form it excluded those cattle, so that the Government were not entitled to the credit of having opened the ports to America and Canada. But if the Government were so anxious to escape the charge of Protection, why should they not give way, also, in respect to the countries in Europe from which they derived considerable sources of supply? No doubt, it was argued by the Government in justification of this extraordinary proposal, that the provisions of the Bill, and the protection which the Bill would afford to the cattle of this country, would bring about an increase of home cattle, which would more than make up for the diminution of foreign import, and the price of food would therefore be cheaper. But the provisions of the Bill for stamping out disease were confessedly inadequate, and, so far as home restrictions were concerned, it was a sham Bill. He was glad to see his hon. Friend the Secretary to the Treasury (Sir Henry Selwin-Ibbetson) now in his place, and no doubt the hon. Member would say at the proper time whether he was prepared to state to the House that the provisions of this Bill were sufficient to stamp out disease. The Bill was intended to have that effect, and yet the Government could not say whether or not it would be successful, and they could give no assurance that this stamping-out process would be accomplished in one, five, or 10 years, if ever. If the Bill were to remain in the present condition in regard to home restrictions, it would be entirely inadequate for the purpose intended. The hon. and gallant Member for West Sussex (Sir Walter B. Barttelot) made a statement in the House the other night, in which he said that pleuro-pneumonia was a disease which they had received from Ireland; and that, for his part, he could not see why one animal found to be diseased on the voyage from Ireland should be slaughtered while the others went all over the country carrying the virus about with them, which would be naturally a source of great danger. Would the hon. and gallant Member deal with Ireland in a way which would be necessary to stamp out the disease? The hon. and gallant Baronet went further, and said that—

> "Then as to foot-and-mouth disease, the question it involved was one most difficult to deal with. . . . . The difficulty of the case was this —If we stamped out the disease, we should stop the trade of the country very considerably. People said they would submit to any restrictions, but would they really do so when it came to the point? . . . . Again, what was to be done with fairs and markets?"—[See *ante*, p. 224-5.]

He had heard no answer to these questions. He had not heard hon. Gentlemen state that they intended to move with regard to this matter in Committee, and, clearly, unless these restrictions were dealt with, it was impossible to consider for a moment that the Bill would be satisfactory for stamping out cattle disease. He had read very carefully the evidence taken before the Committee of 1877, and before the Lords' Committee of this year, and the conclusion he had come to, looking at the evidence laid before the Committee, was, that while there were very grave doubts as to whether by any restriction it would be possible to stamp out foot-and-mouth disease in the country, there was no difference of opinion in the minds of witnesses of authority who could be relied upon, as to the utter inadequacy of such partial measures as those proposed in the Bill. That was what might be gathered from the evidence of distinguished authorities, and yet the Government, while they were not prepared to admit a measure which would give a chance of stamping out foot-and-mouth disease in this country, urged upon the House to accept a partial and inadequate measure of home restrictions to justify the adoption of compulsory slaughter of foreign cattle. He asked the House to remember that he was not arguing the matter of rinderpest at all. He was speaking of foot-and-mouth disease and pleuro-pneumonia, and in regard to these, the evidence entirely failed to show that disease in this country was in any way materially increased by the importation of foreign cattle. He thought he was justified in saying that upon the evidence of Professor Simonds, whose statements were somewhat depreciated by his hon. Friend the Member for South Norfolk (Mr. Clare Read). Still Professor Simonds was a gentleman of great experience and knowledge, and when he was asked before the Committee last year, whether he thought the importation of foreign cattle materially increased pleuro-pneumonia, he said he did not think it did. Professor Simonds added—

> "I came to this conclusion from the simple fact that we had quite as many cases in 1841 and 1842 as I think we have had in any other year since, and the same with regard to foot-and-mouth disease. I have stated previously to other Committees that in my experience, the outbreak of foot-and-mouth disease in 1839 raged to a greater extent in 1840 and 1841, and was more destructive to life at that time than it had ever been since."

Yet hon. Gentlemen perfectly well knew that, during all the time of this great outbreak of pleuro-pneumonia and foot-and-mouth disease, no foreign cattle were allowed to come into the country at all. He even believed the importation of dead meat was prohibited. Then he desired to quote from the Report of the Veterinary Department for 1876, in which some very important statements appeared. The Report stated—

> "It has been remarked that on several occasions, when foot-and-mouth disease has prevailed extensively in this Kingdom, it has continued in a minimum state of existence abroad; while, on the contrary, it has been extremely active on the Continent during the periods of its decline in this Kingdom."

Then the Department proceeded to give statistics of various years. In 1871, when there was a large amount of foot-and-mouth disease in this country, the Continent was very free from it. In 1873 England was free from it, and the Continent had it to a large extent. The same was the case in 1875 and 1876, and the result of these facts were summed up by the Department in these words—

> "This enormous influx of diseased animals in the course of the last two years did not induce a corresponding state of prevalence of the malady in this country; on the contrary, it remained in a minimum state of existence during the past year, especially while it was extending its ravages upon the Continent. These facts seem quite incompatible with the frequent assertion that the fresh outbreaks of foot-and-mouth disease are consequent upon its re-introduction from the Continent."

The chief part of the argument of the hon. and learned Member for Cambridgeshire (Mr. Rodwell) was to the effect that the disease was mainly derivable from the importation of disease from abroad; yet, according to the judgment of the Veterinary Department, that was not so. And they might also base the same conclusion upon the authority of none other than the Lord President of the Council, who had introduced this very Bill. Last year there was a Resolution passed by the Royal Agricultural Society in favour of prohibiting the import of live cattle, and that Resolution was brought under the notice of the House of Lords by Earl Fortescue. In reply, the Duke of Richmond and Gordon remarked that—

> "The noble Earl said the Resolution ought to be enforced, for the purpose of preventing the introduction of cattle disease; but he seemed to have forgotten that foot-and-mouth disease and pleuro-pneumonia were cattle diseases, and were known in this country before foreign animals were permitted to come in. Therefore, foot-and-mouth disease and pleuro-pneumonia were not dependent upon the introduction of foreign stock."—[3 *Hansard*, ccxxxiii. 101-2.]

[Mr. Rodwell dissented.] His hon. and learned Friend the Member for Cambridgeshire shook his head at those observations; but he would remind him they were not his (Mr. Rylands's) but those of the Lord President of the Council, who had introduced that very Bill. He would not go into the question of the dead-meat trade, which had been so ably argued by his right hon. Friend the Member for Chester (Mr. Dodson). In reference to that question, the Lord President of the Council put before the House of Lords the clearest possible arguments to show that the dead-meat trade could not by any possibility make up for a deficiency in the live-meat trade. It must be known that restrictions in the importation of live cattle would necessarily interfere with the supply of food. He ventured to say that the Government knew very well that the restrictions they proposed would interfere with the free import of food. A remarkable speech was delivered by the noble Lord the President of the Board of Trade, when he was arguing in favour of these restrictions upon foreign imports. The noble Lord said—

> "Suppose, for instance, an exception were made with regard to Portugal, the real risk which would have to be run was, that the moment one country was placed in a freer condition than another, the temptations presented to an unclean country to get its diseased animals passed through the freer country was enormous."

Why should that be, unless the diseased country wanted to get its cattle introduced without being slaughtered? That must be the case, because the argument was, that if they allowed certain cattle to come in without being slaughtered, other countries would have "enormous temptations" to pass their beasts through the freer countries, in order to get the advantage of being admitted. It was impossible to understand the language of the noble Lord as having any other meaning in it. The noble Lord must have been carried away with his arguments, because this passage proved that he must have known very well that the dealers in foreign animals would prefer very much indeed having liberty to send their cattle to various markets in the country, rather than be compelled to slaughter them at the port of debarkation, and this fact was entirely antagonistic to the course he was advocating. The Bill was altogether unjustifiable in every point of view. It was inconsistent with the opinions expressed in the Report of last year, drawn up by the Secretary to the Treasury (Sir Henry Selwin-Ibbetson), and it was entirely inconsistent with the opinions expressed in March' 1877, by the Lord President of the Council. Not only was the Bill inconsistent with the opinions of its promoters, but its provisions were full of inconsistencies. It proceeded upon the idea of stamping out cattle disease at home, and avoided the only possible means of doing it. The Bill admitted American and Canadian cattle freely, and required that all other foreign cattle should be slaughtered at the ports of debarkation. The Bill required fat cattle from Europe to be slaughtered, to prevent their bringing contagion with them, while it allowed store and dairy cattle to circulate everywhere. It gave the Privy Council full discretion in regard to home restrictions, and refused positively any discretion in regard to the foreign supply. The noble Lord the President of the Board of Trade had asked why the Government had moved at all in this matter? and, in reply to his own question, he made a remarkable statement, which was worthy the attention of the House. The noble Lord said—

> "He would not deny that the Government had received very strong representations on the subject, and, as was natural, the first thing which struck the Government—the matter being one of very serious and grave importance—was that they ought not to run the risk of appearing to reject their most immediate Friends."

That certainly let the cat out of the bag, and showed that the Bill was brought forward to satisfy the most immediate friends of the Government. He looked around to see where those friends were, and he thought he found them in the agricultural societies. This was shown by the action of the hon. Member for North Wilts (Sir George Jenkinson), who gave Notice last year that he would move—

> "That all cattle should be slaughtered at the port of debarkation, except such as are intended for store stock, and that such stock shall be liable to quarantine at the ports of landing."

That policy received the cordial support of the Royal Agricultural Society, and the Government had embodied in the Bill before the House the Resolution of the hon. Baronet the Member for North Wilts. The fact was, as he had been told by Conservatives, the nature of the Government was something like a jellyfish—when a sufficient amount of pressure was brought to bear upon them they could be made to take any shape which was liked. He hoped this yielding to pressure which the Government had manifested towards their "most immediate friends," might lead them to yield to pressure brought to bear on them on behalf of the great body of meat consumers of the country. This was a question which was exciting more and more attention and interest in the populous districts affected by it. His hon. Friend the Member for South Norfolk said he believed an Election cry was wanted by the Liberals. Well, the Liberals would have to thank the Government if they persisted with this Bill, for providing them with the best Election cry which was possible. If he did not conceive that the interests of the country were greatly opposed to it, he should say for the Liberal Party that they would be benefited more by the Government carrying the Bill. He had no doubt if the Government carried the Bill in its integrity, it would raise the price of food. They themselves knew that that would be the case immediately, although they argued that they were justified in supposing that in some future time the measure would produce an abundant supply at home. But they knew that from the first, when they restricted the supply they must raise the price of food; and, therefore, he thought the Government should pause, at a period of great commercial depression, when great bodies of their fellow-countrymen were subject to serious privation, before they pressed upon the House and the country a measure which must necessarily restrict the supply of food, and thereby add to the sufferings and increase the burdens which now existed.

Mr. HALSEY thought that the right hon. Gentleman the Member for Bradford (Mr. W. E. Forster) would have done better to have moved the rejection of the Bill, than to have brought forward the Resolution. The speeches which had been delivered in the course of this debate were more fitted for Committee than for the second reading of the Bill; and when the measure reached Committee, every question to which attention had been directed might be again raised. He wished to point out that the compulsory slaughter of foreign cattle was not to come into operation until 1879, which seemed to him ample time for the trade to make the necessary arrangements to enable them to meet the new state of things. In reference to the fact that a quantity of dead meat had been condemned recently in the London market, he might observe that the dead-meat trade was only just beginning to come into operation; and that, therefore, the arrangements for carrying it on successfully were not complete. Dead meat, he believed, could be imported in a proper state, with an improvement, such as could readily be made, in the means of conveyance; and, if so, it ought to be imported, instead of live cattle being sent in at the risk of spreading disease. Farmers did not object to free trade in meat any more than free trade in corn, but what they were opposed to was being handicapped by disease. It had been suggested that owing to compulsory slaughter of animals at the port of debarkation there would frequently be a glut in the market; but it should be remembered there was no need to slaughter more animals than there was a demand for, and if an extraordinary number of beasts were accumulated at the port, it would be easy to telegraph to the Continent to reduce the supply for a few days at a very short notice. The right hon. Gentleman the Member for Bradford (Mr. W. E. Forster) had supplied the supporters of the Bill with a good argument, when he claimed consideration for Denmark, because it had kept itself free from disease by adopting severe restrictions; for if such restrictions had been attended with success in Denmark, why should they not be equally successful here? If it suited Denmark or any other country to alter its regulations, that country would do so without consulting us; and we could only secure safety for ourselves by making our own regulations, which we could either relax or increase in severity when we saw how they worked. For these reasons the Bill ought to be read a second time, and its provisions considered in Committee. What was wanted was protection from disease, or else the home producers would be heavily handicapped by the disease imported from abroad. He hoped that the Bill would be read a second time. It did not appear to him that there was much more light to be thrown upon the subject; but if any further information and suggestion were forthcoming, let that information and suggestion be brought forward in Committee. He believed he spoke the sentiments and feelings of agriculturists when he said that he should have been prepared to support the measure of the Government, even if had been necessary to increase in some respects the restrictions which it now proposed. He must confess that he should have preferred to see the Bill in the shape in which it was originally introduced into Parliament, rather than in the form in which it had been brought down to the House of Commons. Had he thought that the measure would result in increasing the cost of food to the people, he should be the last to support it. On the contrary, he believed it would enable our agriculturists to raise more stock and to supply more food for the people; and that, when the trade was more regulated, which he believed it would shortly be, the measure would not interfere materially, if at all, with the supply of food from foreign countries, but would only alter the condition in which it was brought to us.

MR. O'SULLIVAN said, he rose to support the second reading of the Bill, because he considered the matter one of vital importance to the people of his country. He could not see why it was called a Bill of Protection, for the only protection it afforded was protection against the spread of disease. Neither could he understand how its operation would increase the price of meat, because they would increase the stock in the country, and Ireland alone would be able to make up for any deficiency that might arise from the supply of cattle from Continental countries if disease was properly stamped out. The importance of the question to the country he represented would be easily imagined, when he told them there were in the county he represented 99,647 dairy cows alone, 100,000 head of one and two year old store stock, and 70,000 sheep, making in all a total of 269,647 head of cattle and sheep in that county, which, at a very low average, was valued at £3,130,000. There was no wonder, then, that a Representative of that county should be anxious to stamp out the disease in any way he could. If in any part of the country there was even a rumour of disease, there was a fall of £1 to £2 per head in the value of the stock, and that militated against the small farmer, who generally bred the cattle; at the very lowest computation, therefore, the value of the stock in that county fell as much as £300,000 on the mere rumour of disease in the district. There could be no objection, then, to an hon. Gentleman coming there to support a Bill which would stamp out disease in every form. There was, however, one great objection he and his Friends had to the Bill, which he hoped would be remedied in Committee. That was the matter of the double inspection. They had no objection that in the case of Ireland the inspection should be as strict as possible; but they could not conceive why, when there had been an inspection in Ireland, the cattle should be put through another inspection on landing in England. It was unjust and unfair. Why not a double inspection in the case of Scotch and English cattle, which came in many cases longer journeys than Irish cattle? If the matter were persevered with in Committee, they would feel bound to oppose it as strongly as they could. If a greater risk were run in the journey across the Channel than was run in bringing cattle from Scotland secured in railway trucks, they might be disposed to see the wisdom of a double inspection; but the risk was known to be no greater. It was well known that in Ireland they had no disease at all until the importation of foreign cattle, and he hoped when the importation of foreign cattle was stopped, they would be again quite free from disease of all kind. He was glad to say that now they were pretty free from it. Believing that the Bill, if carried, would greatly diminish the prevalence of disease, he had pleasure in according it his support.

COLONEL RUGGLES-BRISE said, that the question of Protection might be put aside altogether in this debate. The right hon. Gentleman the Member for Chester (Mr. Dodson) urged that the Petitions in favour of the Bill had come from the Representatives of the agriculturists; but they had seen that in this debate those Representatives had spoken in the interests of the consumers as well as in their own. The right hon. Gentleman seemed to speak for antagonistic interests; his principal clients were importers and foreign Governments; but he also claimed to speak for the Secretary to the Treasury, for the Secretary of State for the Colonies, and on behalf of the Select Committee. The real questions to be answered were these—Were the diseases of cattle in this country of sufficient importance to the community at large to render it necessary to take severe measures against them? Could they be stamped out? And would this Bill enable us to stamp them out? All these questions had been answered over and over again. He was convinced that the people of this country were prepared to submit to very restrictive measures in order that they might be provided with a fair and adequate supply of meat. He was not prepared to say that the Bill before the House would be perfectly successful; but he believed that it was the very best means at hand, and that the House could not do better than pass it pretty nearly in the form in which it now stood. He said pretty nearly in the form in which it now stood, because he was not one of those who would desire to press on any Bill, in a very stringent way, in the face of a strong opposition. If this Bill should prove to be not that success which they anticipated, then they might introduce some modification—perhaps taking the direction of admitting favourably the cattle of Denmark, Sweden, and Norway. But he wished to see a hard-and-fast line drawn, so that all foreign cattle should be slaughtered at the port of debarkation. They could try that, and then if they found that it raised the price of meat, they might very well give powers to the Committee of Council to make modifications as regards those countries to which he had alluded. In reference to that point, it was to be observed that cattle coming from healthy countries were often attacked with disease after being landed in this country, that disease arising solely from bad management of them during the voyage, or from exposing them to cold winds on their arrival. He did not believe that the price of meat would be in any way raised by the provisions of the Bill. He believed that the trade would be more thoroughly developed, and that arrangements would be made which would fully meet the supply. He believed there would be a large increase of young cattle from Ireland and the grazing counties in England, and this would tend to diminish and keep down the price of meat. After all, this was a matter which, to a great extent, corrected itself. When meat reached a certain price the demand slackened, and the price was brought down. He had some experience as a sufferer from foot-and-mouth disease, and he did not think that the estimates of the losses sustained had been overrated. He thought, however, that the losses from pleuro-pneumonia and foot-and-mouth disease had been increased by want of more stringent regulations at home. In the case of the Irish cattle, pleuro-pneumonia and foot-and-mouth disease did not come so much from Ireland as from the treatment to which the cattle were subjected on the voyage, and after they reached this country. The dealer in foreign cattle had a great advantage over the home producer, who sent cattle up from the North, and must sell on the day of arrival. So far as he had heard, no valid objection had been urged against the measure. A Petition in favour of the Bill had been presented to the House signed by almost all the agriculturists, and by almost all those who were interested in land, not only in Essex, but in the whole of the Eastern counties; and he was quite sure that neither he, nor those for whom he spoke, would have attached their signatures to that document had they believed that the effect of the measure would be to restrict our supplies or to increase the price of meat.

Mr. J. K. CROSS said, to a considerable extent he agreed with the confession of faith put before the House by the hon. and gallant Member who had just spoken (Colonel Ruggles-Brise); but his speech contained one little defect—a defect which had been visible in every speech made in support of this measure. The hon. and gallant Member had failed to make the necessary connection between the continuance of foot-and-mouth disease and pleuro-pneumonia in this country, and the continued importation of fat animals from the five countries they now placed in the black list; and he (Mr. J. K. Cross) wished to draw the attention of hon. Members to the extraordinary fact that, from the beginning of that debate until then, no hon. Member had made good that connecting link, and no hon. Member had given them any instance of disease having been communicated through inspection having failed. The Bill was based upon the assumption that inspection having failed, a period of indiscriminate slaughter must begin; but no proof of inspection having failed had been placed before them; and before they were asked to reverse the free trade legislation of the last 30 years, it really was incumbent on the Government to make good the position they took up. Hitherto free trade had been the rule, restriction the exception; but by the Bill, the principle of which was protection, whether they noticed it or not, restriction was the rule and free trade the exception. Now, he did not profess to know much about the question; but he was quite able to form an opinion on the statement of the authorities whose evidence had been quoted, and he would read to the House the opinion of Professor Brown, whose name had so often been mentioned in that debate, and who was, he was told, the greatest living authority in the matter; and his evidence went to prove that it was by the spread of infection at home, rather than importation, that the prevalence of disease was kept up. Professor Brown said—

> "Pleuro-pneumonia and foot-and-mouth disease have existed in this Kingdom for nearly 40 years, and they are certain to continue so long as diseased and infected animals are moved in all directions from one part of the Kingdom to another, and new generations of susceptible subjects are constantly brought under the influence of the contagion. . . . Where a contagious affection is established, it may be kept up by a constant supply of healthy susceptible animals, without any fresh introduction of diseased ones, and in this way pleuro-pneumonia and foot-and-mouth disease must have been kept up during the time when foreign animals were not permitted to be landed in this country."

The extract he had quoted certainly showed that home restrictions were more needed than anything else. He had listened to the speeches of the hon. Baronet the Secretary to the Treasury (Sir Henry Selwin-Ibbetson), who introduced the measure, to that of the Secretary of State for the Colonies (Sir Michael Hicks-Beach), and to that of the noble Lord the President of the Board of Trade (Viscount Sandon), and there was not in any one of those speeches a single word of proof that inspection had failed; and he could not too strongly impress upon the House the necessity of having such proof before they passed the second reading of the Bill. The Secretary to the Treasury certainly proved that more home restrictions were needed, and with his argument on that point he (Mr. J. K. Cross) cordially agreed; but he could not go with him in the line he took about the effect the new restriction would have in affecting the price of meat, and he thought his arguments on that point, and also those of the noble Lord the President of the Board of Trade, were the most extraordinary he had ever heard. What did the Secretary to the Treasury say? His argument was this—"Dead meat is worth less than live meat by £3 per carcase; therefore, if you encourage the dead meat trade, and discourage or suppress the live meat supply from Europe, you will lower the price of meat to the consumer;" but how, by reducing the selling value of the dead meat, they could increase the quantity and so permanently reduce the price, he (Mr. J. K. Cross) thought the House would quite fail to see.

SIR HENRY SELWIN-IBBETSON explained, that he was quoting the evidence of a dealer, and quoting him as not being an authority on whom much dependence could be placed.

MR. J. K. CROSS said, he would like to know what was the argument of the President of the Board of Trade? He quoted Professor Brown to prove, what? That in the rinderpest period the compulsory slaughter of cattle had depressed the price of meat. But what connection was there between the two cases? They were not in the least parallel. The compulsory slaughter in the rinderpest period caused everyone to fear the destruction of his herds, and cattle were forced into the market; but in this case the cattle were not there, and surely the noble Lord would see that the compulsory slaughter clauses of the Bill would not attract them. Such arguments were certainly not worthy of the House of Commons, and were statements which were more suited to the Marines. But would the Bill restrict the supply? They had good evidence that that would take place in what they knew of the lessened supply following the Privy Council Orders. In the last two years, the restrictions imposed had been accompanied by a reduction of imports of 26 per cent of cattle, 17 per cent of sheep, and 56 per cent of pigs; and, at the same time, the price of meat had risen, whilst almost all other commodities had fallen. During the last year, the price of American bacon had fallen 25 per cent; hams, 20 per cent; cheese, 26 per cent; lard, 20 per cent; butter 5 per cent; whilst meat had risen 5 per cent. But a reduction in supply of any article of general consumption, of which the supply was only about equal to the demand, affected the price to an enormously greater extent than the proportion of reduction. Everyone who had any knowledge of commercial affairs must know that, and many hon. Members would have in their minds instances of it. The familiar instance of coal, in 1872, had been quoted several times, and he remembered, a few years ago, that a reduction in the available supply of sugar of 6 per cent was accompanied by a rise of 30 per cent; tallow, 5 per cent, was accompanied by a rise of 20 per cent; silk, 12 per cent, was accompanied by a rise of 70 per cent. And in 1872, when the supply of coal was not reduced, but through excessive demand the supply available for the market was about 7 per cent less than usual, the price in his own neighbourhood rose more than 100 per cent. And was it not idle to suppose that meat would not be ruled by the same laws? But there was another aspect of the question. How would that retrograde legislation affect their trade with those countries which they placed on that black list? He was greatly astonished the other day, when his right hon. Friend the Member for Bradford (Mr. W. E. Forster) stated that they should consider other countries, that the statement should have been received with scorn by some hon. Members below the Gangway opposite. But he hoped that hon. Members would agree with him in this—that if they could, without damage or danger to themselves, consider the interests of foreign countries, they ought to do so in the best interests of commerce; and he would like to ask the House what the countries of Denmark, Sweden, and Norway, and Spain and Portugal, had done that they should be treated as they were treating them now? The Danes felt the matter very keenly. Everyone who had any connection with that country, or who knew any of the Danish Consuls, must know this—they were anxious to trade with them. They were sending them now 100,000 head of live stock annually, and in seven years there had been only 38 cases of disease from Denmark. From Sweden and Norway they had positively no disease; and from Spain and Portugal, out of an import of 41,800 head of cattle, they had four cases only of foot-and-mouth disease, or one in 10,000, which bore no proportion at all to disease in this country. Well, how would that new law affect their trade with Spain? Would it tend to develop it? What effect would it have the next time they tried to negotiate a Treaty of Commerce with that country? The last time they tried to do so the Spaniards asked them to reduce the high duties which they placed upon Spanish wines, in order that Spain might reduce the imports she placed upon their goods. They were not able to do so, and the negotiations fell through. But where would they be the next time they tried to negotiate with them? What had they done that they should be treated in that manner? He did wish the commercial Members of the House to consider what the effect of such unnecessary restrictions placed upon their commerce must have the next time they tried to open negotiations with them. He knew that modest borough Members on that side of the House had little influence with Her Majesty's Government; but he did venture to impress upon the Government the absolute necessity of such alteration in the Bill as would remove its retrograde character, and hoped that if the Government were determined to force its second reading, that in Committee such alteration would be made in it as to destroy its Protectionist character, and place those European countries, in which there was so much less disease than there was here, on the same footing as Canada and the United States.

Mr. ELLIOT said, he would not have taken part in this debate if he had not been a Member of the Committee which sat last year. Frequent allusions having been made to that Committee, he felt it his duty to say a few words. He thought he could divine the reason why the right hon. Gentleman the Member for Bradford (Mr. W. E. Forster) had put his Amendment on the Paper. In the Committee of last year the right hon. Gentleman moved a Resolution somewhat similar to this Amendment. In previous Committees of which the right hon. Gentleman was Chairman the same thing happened. A man might be excused for being fond of his own child; but, in his (Mr. Elliot's) opinion, the Resolution of the right hon. Gentleman was a ne'er-do-well child. The necessity for this Bill had been demonstrated by the Select Committee of last year, whose judgment had presumably been affected by the great havoc created by the introduction from abroad of the dreadful scourge of rinderpest. Even slaughter at the ports might not, in his opinion, prove sufficient to prevent the importation of that disease, as the disease might be carried up the river in ships, and might, considering how insidious it was, be distributed after the cattle were slaughtered. But slaughter was, at all events, a precaution, and was certainly the less evil of the two. It had been said that Denmark and Spain ought to be allowed, without any restrictions, to send cattle to this country. It was true that they had not had much cattle disease from Spain and Denmark; but a man had been known to purchase cattle in different countries, and take them into Spain with the intention of bringing them into England. Now, if cattle were to be smuggled that way into this country, they would never be free from cattle disease. An hon. Member opposite had talked much about the effect which the operation of this Bill would have in increasing the price of meat; but if he had read the Blue Books bearing on this subject, he would have found that, although in the year 1877 there were imported into this country, in round numbers, 53,000 cattle and 13,000 calves less than in the year 1876, the price of meat was lower in 1877 than in 1876. It had been said that this was not a farmer's question, but a consumer's question entirely. He totally disagreed with this statement, and maintained that it was a farmer's as well as a consumer's question. Much misconception existed with respect to slaughter. It was supposed that the cattle would have to be killed as soon as they set foot in England. Such was not the case. They might be kept for 14 days or longer, until the state of the market justified their destruction. He thought they should allow a large margin, in order that there might be no forced sales. That was a point which ought to be placed distinctly before the country.

MR. PEASE said, if the Amendment had interfered with the second reading of the Bill it would not have received his support; but his right hon. Friend wished distinctly to point out that the 5th Schedule involved a principle to which he demurred—namely, that all fat cattle coming to this country from the Continent of Europe should be slaughtered at the port of arrival. Transatlantic cattle might, as a rule, come into this country; whereas all European animals must be slaughtered at the port of debarkation. If his hon. Friend the Secretary to the Treasury would state in his reply that Her Majesty's Government were ready to examine the 5th Schedule in order to see whether alterations could be made so as to admit healthy animals from healthy sources—whether from America, Portugal, Spain, or Denmark—he should no longer support the Amendment. But if his hon. Friend should say that the principle of the Bill was embodied in the 5th Schedule, he must decline to be a party to a restriction which would raise the price of the food of the people, while it would afford no protection to the farmers at home. It was of the greatest importance to the manufacturing classes of this country that the food of the people should be as cheap as possible. If the English workman were to be kept ahead of the foreign workman, he must be well paid, well housed, and well fed. He had no fear of the competition if our workmen were well provided for. Some hon. Members, however, in their eagerness to prevent an increase in the price of food, seemed to ignore the danger which might arise from the importation of these dreadful diseases among cattle. In the Select Committee of which he was a Member he moved the following Proviso—

> "Provided that the Privy Council shall have the power from time to time to remove countries out of the list of scheduled countries when they are convinced that such countries are free from cattle plague, pleuro-pneumonia, and foot-and-mouth disease."

This was what he contended for now. Restrictions might be necessary; but he would only apply them in unmistakable cases of disease. He had asked the Secretary of the Royal Agricultural Society as to where he could get the best information as to the food supply of this Kingdom, and he had referred to a Paper by the late Sir H. Meysey

Thompson on that subject, and on the careful calculations of that Paper—as regarded the supply of cattle for the meat market from the English herd, and the weight of foreign cattle—he had based his figures. It appeared that while in 1874 we had 6,125,000 head of cattle in this country, we had in 1877 only 5,600,000. The former number would produce, according to the above authority, 8,200,000 cwt. of meat, and the latter number 7,600,000 cwt., and he begged his manufacturing friends to remember that these figures showed that we were consuming a much less supply of meat from our own herds in 1877 than we were in 1874, and were paying upwards of £1,800,000 sterling across the water more than we would have been if we had kept our herds up to the mark at which they had been in 1874. Coming to the diseases with which we had to contend, he thought that no one had shown in the debate what an important bearing these had on the meat supply. He agreed that the Bill was not intended to deal with the cattle plague. During the last 12 years the amount of this disease was comparatively small, and we know how to deal with it effectually. With regard to pleuro-pneumonia, the quantity of it had been very even, and represented a loss of £50,000 a-year. He came to the conclusion arrived at by his right hon. Friend the Member for the University of Edinburgh (Mr. Lyon Playfair), that this Bill would not have been brought in to eradicate pleuro-pneumonia if that had been the only disease to be dealt with. What they were trying to deal with was the effect of foot-and-mouth disease on the herds of the country; and while his right hon. Friend and other hon. Members contended that the herds of this country had not been decreased by fear of that disease, he took an entirely different view of the question. He had no doubt, from his communication with farmers and from other sources of information, that the quantity of cattle was less, not so much because of the poor times which farmers had had than because they were afraid to add to or to move their herds. And, therefore, he came to the conclusion that for want of a strong and stringent Act dealing with foot-and-mouth disease we had been paying foreigners money which ought to have remained in this country. As to the manner in which disease had come among us, he thought it was quite plain that, although it had obtained a great hold in this country, most of it had come from abroad. The next question which arose was, was there any chance of stamping it out? Reference had been made by several hon. Members to Denmark, and there they had had no cattle plague since 1772, and no pleuro-pneumonia since 1861. As regarded foot-and-mouth disease, there were, in 1872, 19 cases of it in Denmark; in 1873, four cases; in 1874, eight cases; and in 1875 130 cases on 13 farms having 147 cattle. In the last-named year a strict law was made for the prevention of cattle plague, pleuro-pneumonia, and foot-and-mouth disease; those laws were made to assimilate, and in 1876 there was in Denmark but one case of foot-and-mouth disease on one farm. Under the regulations there, when any of these three diseases broke out in a particular place it was at once localized and no communication with it was allowed, and all articles, such as hides and skins, were prohibited from Germany. Professor Brown thought that if the law were made as strict in this country as it had been in Denmark foot-and-mouth disease might be stamped out in a few months. This was a case in which we could have no half measures; we must go in and stamp it out, if practicable, or the matter had better be left almost alone. If the disease could be brought to a minimum at home by regulations, the next question was, what regulations should be adopted in order to keep it out from abroad? What they were driving at was a maximum of safety with a minimum of regulation. His hon. Friend opposite (Sir Henry Selwin-Ibbetson), who never arrived at conclusions without good reason, had suggested in his draft report that Denmark, Norway, Sweden, Spain, Portugal, and America should only be placed in the Schedule on the breaking out of disease. He was quite prepared to go further than this, and that slaughtering should be the rule, and that the admission of animals from safe places should be the exception, leaving it to the discretion of the Privy Council. It was impossible to lay down a stringent law saying what countries were safe and what were dangerous. There was another point which must be looked at, and that was the present state of America, Europe, and our own country. It was true—and he believed it would be emphatically true in the future—that we would have an enormous supply of meat from the United States and Canada. But, at the same time, the home demand was very limited in the present state of trade; but whenever trade became less depressed the demand would exceed the supply, and it would be incumbent on the House to do nothing that could possibly add a fraction to the cost of meat. He would show what was the present state of things during the last 10 years in three or four large towns where trade was not brisk. In Edinburgh, 18,000 head of cattle, in 1866, had become, 10 years afterwards, in 1876, 39,000; in Glasgow, 48,000 had become 73,000; in Liverpool, 112,000 had become 156,000; in Newcastle, 45,000 had become 103,000; and in Manchester, 100,000 had become 167,000 head —being an increase of 57 per cent He doubted very much whether, without the American supply, meat would be much lower in price than it was at the present time; and he had no doubt that in future the principal trade would be rather in live than in dead meat. It was all very well to say that the meat supply would adjust and arrange itself; the figures which he had seen had led him to the conclusion that it was the duty of the Government to admit a large number of live animals into the country. At Falmouth 4,000 animals had been admitted during the year, principally from Spain and Portugal, and none of them were diseased. They were principally sent into the mining district around, and kept by the butchers until there was a demand for the supply of meat. Nor had there been any disease among the 3,000 sent to Glasgow, or the 5,000 sent to Leith, or among the 17,000 sent from Canada to Liverpool, or the 34,000 from Denmark and Sweden to Newcastle. They were all spread abroad throughout the country, and held over by the butchers until a supply of meat was required by the people. But the 690 cases of disease were almost entirely shared between London and Hull, and were found in French, Belgian, and Dutch animals. He believed that the effect of the 5th Schedule of the Bill would be simply to add to the price of foreign animals without giving any protection against disease to the farmer; as regarded compensation he had approved the course adopted by the Committee. It had been proved that in the event of disease breaking out whole dairies had been broken up at the great risk of spreading disease; and he felt convinced that full compensation for a few animals would be cheaper in the long run than two-thirds or half spread over a large number of herds destroyed. If the system which had been established in Denmark were carried out more extensively, the doctrine of free trade would be further carried out, and farmers would be able to breed more and sell more; and if it should happen that they had to sell at a rather lower price, they would be benefited as well as the consumer. It had been said that the farmers were often obliged to part with their stock; but he had never known an instance of a banker refusing credit to a farmer when he had a good show of stock, for his credit was generally in proportion to his stock. His right hon. Friend the Member for Bradford went so far with him as to say that if they had to keep before them—as he was sure the House must be anxious to do—the expediency of securing a cheap and good supply of food for the people of this country, they must vest a discretionary power somewhere. When the right hon. Member for Bradford was in Office he did not hesitate to deal with the question; and he was sure that right hon. Gentlemen opposite would not refuse to deal with it. The discretion ought to be vested in the Privy Council of, on the one hand, admitting cattle into this country wherever and whenever it could be done without any danger of damaging the health of our herds; and, on the other hand, of excluding such importations from particular countries, whenever that course was really necessary. That was the true solution of that problem. The effect of the 5th Schedule would be to increase the price of meat. If the Bill went into Committee, as he hoped it would, he trusted that the Government would work nearer to the lines of the Report of the Select Committee, and would not deal with cattle coming from countries which were as pure as our own, as if they were afraid of touching them.

SIR EDMUND LECHMERE expressed his thanks to the Government for having introduced the Bill, which, it was to hoped, the hon. Member for South Durham (Mr. Pease) and his Colleagues on the Select Committee would assist in passing, and in rendering as complete a measure as possible for carrying out the objects for which it had been brought in. It had been objected to compulsory slaughter at the ports of landing that it would lead to great waste; but the cattle landed would be placed in well-ventilated and good lairs, and, possibly, in some cases in pastures, where they would await the requirements of the consumer; whereas at present they were taken from ships very often in the most filthy condition, placed in lairs that were equally filthy, driven thence to the railway stations, and brought at last to slaughter-houses, reeking with all sorts of abominations, in anything but a wholesome state. It had been alleged by the opponents of the Bill that pleuro-pneumonia and foot-and-mouth disease were not of foreign origin; but he found by official Returns, that during the three years ending on the 31st of March, 1877, the number of foreign cattle imported into this country was 12,380, of which 13 cargoes were affected by pleuro-pneumonia, and 1,381 affected by foot-and-mouth disease; and although those diseases might have become naturalized in this country, it was a reflection upon ourselves if we had allowed them to become so. The stock of this country was alleged to be diminishing, and the statistics of the last few years afforded fair proof that that was the fact. Farmers were a most enduring class. They saw their cattle and their stocks declining, and for a long time they had desired such a measure as this. The time had now arrived for passing a satisfactory measure on this subject. He believed that the Bill, besides dealing with the subject of cattle plague, would do much good in many other respects. It would tend to promote a more humane treatment of animals. It would tend to promote better accommodation in ships for the cattle imported, and better care of them when they arrived in this country. He believed the Bill would tend very much to relieve the agriculture of this country from a serious drawback, and at the same time to increase, rather than to diminish, the food of the people, and he still gave his hearty support to the second reading.

Sir Edmund Lechmere

Mr. MUNDELLA said, that most of the Members who represented county constituencies spoke in favour of the Bill, whilst those who represented the boroughs opposed it. He hoped, however, it would not be assumed that this was a question of the counties against the towns, or the manufacturing against the agricultural interest. Those who were most interested in manufacture and trade were also interested in the prosperity of agriculture and the healthiness of their flocks and herds; because the prosperity of the farmers of this country was the support of our home trade, which was the best and most reliable portion of our trade, whilst they obtained the most wholesome food and at the lowest prices when the flocks and herds of the country were in a healthy state. Therefore, the Representatives of towns would be blind to the interest of their fellow-countrymen, if they opposed the Bill for any other reason than their conviction that it would do harm to the country generally. The Bill was based on the assumption that the diseases with which our cattle were afflicted were imported, and that by internal regulations and slaughter at the port this country might again free itself from disease and secure immunity for its home flocks. The allegation that these diseases were imported had been disputed, and it had been abundantly shown that this country suffered very much from disease long before there were free imports. He found in the Report of the Agricultural Congress in connection with the Paris Exhibition, that one of the greatest authorities in Europe on this subject maintained that various cattle diseases could be, and often were, spontaneously engendered; but, whether they were or not, our intramural dairies should be treated, in a sanitary point of view, the same as intramural interments had been, for they were the hotbeds of disease and infection, and at least 70 per cent of our diseased animals proceeded from them. And whether the diseases were engendered in this country or imported, all would agree that they had become naturalized. It was almost too much to assume that 40,000,000 of cattle and sheep in this country should be entirely free from disease; but there were ample means for dealing with it by the poleaxe and cremation, and those must be adopted when it manifested itself in foreign stock.

Hon. Members contended that cattle disease could be stamped out. The hon. Member for South Norfolk (Mr. Clare Read) declared that the provisions of the Bill would do that. He (Mr. Mundella) thought that hon. Gentleman was the only Member of the House who had the courage to make that statement; for all the Members representing the agricultural interest who had spoken, on both sides of the House, declared the utter inefficiency of the provisions of the Bill to accomplish any such result. The hon. and gallant Member for West Sussex (Sir Walter B. Barttelot) asked, if 300 or 400 Irish cattle came over and one was infected, were they to kill that one and let the 299 or 399 others go over the country to propagate the disease? And Professor Gamgee said that nothing short of slaughter at the port of debarkation would be of any use; and he maintained that dead meat itself would introduce cattle plague unless very great care was taken. Why, the insufficiency of the home regulations might be inferred from the speeches of hon. Members representing agricultural constituencies. All that the supporters of the Resolution asked was, that the same powerful machinery should be employed in regard to home cattle as was to be employed in the case of foreign cattle. It was admitted on all hands that the European nations would not send animals to be slaughtered at the port of debarkation. The Duke of Richmond and Gordon, in his speech last year, told them as much; and to nine out of ten of the speeches made in support of this Bill the best answer that could be given was that speech of the Duke of Richmond and Gordon. It was said that a dead meat trade would grow up instead of the live cattle trade, and the Aberdeen and American dead meat trade was mentioned to show what could be done. No doubt if all the meat came to hand in the same condition as that which came from Aberdeen, it would be a great thing for the industrial populations. But the Aberdeen trade was one which was entirely in the hands of the dealer, who received a telegram in the morning, took the cattle fresh from the green pastures, slaughtered just as many as were required, and in 24 hours they would be in the London market. As to the American trade, no doubt the quantity sent last year from America was astonishing; but he had no doubt, notwithstanding Mr. Gillett, that that trade would ultimately change into one of live cattle. Mr. Gillett said that he had sold 1,100 quarters of prime beef in fine condition in the London market, and it only realized 3½*d.* per lb. for side pieces. That simply proved that Mr. Gillett had realized a loss of £4,000; for, according to his own evidence, the meat cost 5*d.* per lb. in New York. In fact, it was near 5¾*d.* per lb. He (Mr. Mundella) would rejoice if meat could be bought at 3½*d.* a-lb. in America and sold at a fair profit in this country; but he believed that the dead meat trade last year was a losing one, and, therefore, as soon as it should be found out that live cattle could be brought over, that would be done. He had received a telegram from Liverpool that sales had been effected at 2*d.* and 3*d.* per lb., and that it was dear at the price, as it was unfit for human food. There must have been an enormous loss to the exporters. Another telegram he had received to-day stated that a large quantity of imported American meat was sold at 1*d.* and 2*d.* per lb.; that an enormous proportion was utterly unfit for food and valueless, and that no confidence could be placed in that supply in hot weather. The last Report of our Consul at New York, Mr. Archibald, stated that prime beeves were the only cattle fit for shipment, and the lowest price was from 10½ to 10¾ cents per lb. That was on the 8th of January. On the 30th of July the price rose to 13½ and 13¾ cents per lb., or from 5¾*d.* to 6¼*d.* in New York. The Report also showed that there were heavy failures amongst cattle slaughterers last year at New York. The supply of American meat had been a great blessing to this country. It was impossible to tell what the price of meat would have been but for the millions of pounds of beef which they had received from the United States. No country would continue to send us meat, unless the price were such as would compensate for the risks incurred. No doubt the meat trade would grow; but the first condition was security. Would any manufacturer send a cargo of non-perishable cloth on the condition that it must be sold in a particular port in a few days? Such a condition would be ruinous. It would place the trade entirely in the hands of the agent. Such a market would not be a fair or free market. A market must be free in and out. As to the market at Chicago, which he knew well, if the cattle sent there were not sold they could be turned out on the pastures, and kept in good condition until they were required; but when cattle, brought from abroad, were kept in sheds or on the wharves, they soon degenerated in value. He did not think the importation of meat would discourage the general farmer of this country. Our flocks and herds had steadily increased from the year 1866; horned cattle had increased by 1,000,000 since 1867, and sheep by 6,000,000 from 1866 to 1874. The imports had also steadily increased, and there had been an increase in the price of beef and mutton. Taking the five years, 1868-1872, the increase had been in the second class of beef, from 3*s.* 8¾*d.* per stone to 5*s.* 3½*d.* per stone. The price of mutton in the same time had increased from 4*s.* 1*d.* to 5*s.* 11*d.* per stone. What was the conclusion to which he came? His conclusion was this—they had a prosperous trade during those years; their people were able to buy and consume more. And, as had been truly said, they had drunk the Alabama Award, and had eaten their surplus stock of cattle. Statistics also showed that the same population consumed more bacon, cheese, potatoes, wheat, and flour, and sugar imported from abroad. Owing to the increased consumption of meat there was a scarcity, and the price was consequently high, and now the Bill proposed to further limit the supply, and such limitation would increase the cost out of all proportion to the diminution. A diminution of 6 per cent in the supply of coals caused them to go up 200 per cent in price. In raw sugar a rise of 40 per cent in price once followed a falling-off in the supply of 5 per cent. A rise of 1½*d.* per lb. in the price of meat meant an increased expenditure for the same quantity of £20,000,000 sterling. Suppose America became infected, they could not cut off the American supply and keep out the European too. If the few healthy countries became infected, could they keep out French cattle? He should vote for the Amendment of his right hon. Friend (Mr. W. E. Forster), and he hoped that the House would not allow the Bill to pass without giving the Privy Council full discretion to permit the importation of healthy stock, from whatever country they might come.

Mr. PHIPPS said, it would be useless to stamp out diseases in our own herds and flocks if they were allowed to be re-imported. He could not help thinking that those who considered the restrictions placed upon home flocks and herds as too lenient, had not given due consideration to the question before the House. With regard to the cattle plague, it was agreed on both sides that the restrictions were good. In regard to the question whether foreign regulations were too stringent and too severe, he believed that inspection at the port of debarkation was illusory, and that the only way to prevent disease was by slaughter. This did not mean that the beast was to be slaughtered when it came off the vessel. It might be kept and fed for some days. If diseased cattle arrived at a port, it became an "infected place," which no cattle could leave until the place could be declared to have been free from disease for 56 days; and as British cattle would not be allowed to leave such a place, he could not see why foreign cattle should be allowed to do so. It would be wrong in him at that hour to detain the House; but he felt strongly that they must not be led to a false conclusion by a fear that their foreign meat trade would be less owing to the passing of this Bill. They might depend upon it that, as long as they were able to pay the best prices for foreign food, so long would it continue to come to these shores. They must not forget that these fat cattle came here for the express purpose of being slaughtered. The question was not whether they should be slaughtered or not, but where and when they should be slaughtered? It was argued that a discretion ought to be left with the Privy Council. This, he thought, would be very prejudicial. It would impart a feeling of insecurity and uncertainty to the trade. He, for one, sincerely hoped that the Government would not display any hesitation in dealing with this question; for if the Bill were to realize its purpose, the great principle of slaughtering foreign cattle at the point of debarkation must not be given up. He should not argue the point as to whether the hon. Member for Sheffield (Mr. Mundella) was too blind to see the merits of this Bill; but he thought there were many Members on both sides who were sane enough to accept it. He should vote for the Bill, because he believed it would be the means of cheapening the food of the country.

MR. JACOB BRIGHT: Sir, those hon. Members who had seats in this House 10 years ago, in the last year of the last Parliament but one, will remember that we were engaged in a struggle exactly similar to that which the Government by its feebleness has now forced upon us. Those of us on this side of the House fought and won the battle for free trade; and hon. Members on that side of the House fought and lost the battle for restriction. I hope that a Parliament based upon household suffrage will not sacrifice the great principle which the last Parliament, elected upon a more limited suffrage, gallantly maintained. There are some hon. Members in this House who cannot forget with what reluctance in 1868, Mr. Disraeli, as Leader of the House, undertook the service of his agricultural taskmasters, and how, on the first decent occasion, he threw up his work, scarcely concealing his contempt for the object for which he had striven. I believe the Chancellor of the Exchequer occupies to-night the same position which was occupied by Mr. Disraeli 10 years ago. This Bill seems to have been forced upon a reluctant Government. I do not believe that the right hon. Gentleman, with his large information, his economic knowledge, and with his, in the main, sound political instincts, would willingly undertake, even by a well-drilled majority, to pass such a Bill as this. The Government cannot approve of the Bill. The Duke of Richmond and Gordon, who introduced it in the House of Lords, made a speech last year against its chief provisions. The Secretary to the Treasury (Sir Henry Selwin-Ibbetson), as Chairman of our Committee last year, opposed the slaughtering clause of this Bill, since which time no new facts have been adduced to justify his change of conduct. On Monday last, when he introduced this Bill to the House, it was quite clear that he spoke with painful reluctance. He did not address the House with the energy that ordinarily belongs to him; there was a languor in his speech which communicated itself to the benches behind him; and it appeared to me, as I looked upon hon. Members opposite, that they felt they were engaged in an indefensible and an impossible cause. The Government by this Bill attacks one of the most important articles of the food of the people. In this country, happily, most articles of food are as cheap as in any other thickly-peopled country. We have corn at the world's price; we have sugar cheap and groceries cheap; but there is one article which is dear, which is becoming dearer, and which is essentially necessary to the welfare of the people, and it is that article which a Conservative Government attacks by this Bill. Let us look for a moment at the condition of the country upon which this restrictive measure is to be imposed. The soil produces less in proportion to the population that lives upon it than the soil of any other country in the world. We are essentially dependent upon imports; we cannot live without them. This is one of the most sunless countries in Europe. In our industrial counties the people have to live the greater part of their lives under a leaden sky, subject to wet and cold. In such a climate they cannot live on vegetables alone, as may be the case in the South of Europe. There is more hard and continuous labour performed in this country—not in the open air, but in closed rooms—than anywhere else. It is notorious that people employed as our people are require stimulating food; and it is in the face of these facts and under these conditions that the Government, at this late period of the Session, undertakes to reverse the policy of 30 years, and to deprive us of the freedom to obtain healthy cattle wherever healthy cattle are to be found. It is somewhat singular that we are to be deprived of that freedom at a time when the Prime Minister is engaged at a European Congress in protecting the freedom of Europe. This Bill has nothing to do with the cattle plague; and people out-of-doors have been somewhat misled by the notion that it had to do with the cattle plague. It was shown distinctly before the Committee of last year that since the first appearance of rinderpest, the Government has been armed with ample powers to control it; and on two occasions when it has appeared since the terrible scourge of 1865 and 1866, it has been stamped out at a cost of less than £20,000. With regard to other diseases, the evidence is most conflicting; but everybody knows it was declared by some of the highest authorities that disease was not materially increased by foreign importation. You have no right to base a Bill like this on conflicting evidence. There ought to be a great preponderance of evidence in one direction before you pass such a Bill. How can foreign disease be materially increased by importation, when you consider the stringency of our regulations on importation? If one animal be diseased in a cargo of say 500, the 499 have to be slaughtered. With such a rule it is almost impossible to bring disease into the country. I undertake to say that disease has been mainly spread by the movement of cattle and the absence of regulations at home, and by the introduction of cattle without any restriction from Ireland; and if we had a Government that acted impartially on its own information, and that was not weak enough to yield to the clamour behind it, if the Government felt it necessary to legislate at all, it would impart to the regulations at home some of the rigour of the regulations that refer to the introduction of cattle from abroad. If the Government had taken that course, no man in this House will dispute that disease would have rapidly disappeared. That ought to be the first step; if it is found that it does not succeed, then, but not till then, let other measures be proposed. I maintain that the effect of this Bill will be to reduce the imports of food from abroad. I have listened to many speeches made in the course of the debate, and it appears to me it has been conclusively proved that if you pass this Bill you will have less food from abroad. What said the Government last year, speaking through the Duke of Richmond and Gordon? That in the six years ending 1869, when the French cattle traffic was free, we imported 112,618 cattle. In 1870 France was scheduled and her cattle slaughtered at the port of debarkation, with the result that in seven years we imported only 24,095 cattle. The noble Duke explained the cause of this remarkable falling-off. He said—

> "If they brought over to this country a quantity of fat stock, and the market was not good when the animals came in, they could be kept over for the next."—[3 *Hansard*, ccxxxiii. 101.]

Or, in other words, that compulsory slaughter meant compulsory sale, and with compulsory sale the importer is not allowed to wait for the best price, and so his trade is injured or destroyed. The following is a statement of the Corporation of Southampton:—

> "That for several years there was a large importation of cattle from Normandy and Brittany to Southampton, but upon the issue of the Order of the Privy Council, requiring the same to be slaughtered at the place of landing, the supply wholly ceased.
>
> "That if all foreign cattle be slaughtered at the place of landing, as proposed by the Bill, the present supply from Spain and Portugal would, as in the case of Normandy and Brittany, wholly cease."

A fact like that is worth any number of opinions. I have not heard any hon. Member deny that fact; and it is only a sample of many others. The hon. Baronet who introduced the Bill admitted that 261,000 fewer animals were imported into this country in 1877 than in 1876, and he endeavoured to argue away the significance of these figures; but the right hon. Member for Bradford (Mr. W. E. Forster), in his convincing speech, dealt with these figures, and showed that, in the main, the diminution was produced by compulsory slaughter. Why has the Government made a change in the Bill by excluding America from the stringent slaughtering clause? Not because it was shown that America was free from disease—that was not the reason. The Government framed its Bill in that way with regard to America because it was conclusively shown in the House of Lords that the American trade would be destroyed by compulsory slaughter. But admitting that conclusion was like knocking the bottom out of the Bill; for if the Government is forced to admit that compulsory slaughter would destroy the American trade, it must, surely, admit that it would destroy or lessen the trade from all other countries. A good deal has been said about the dead meat trade of Aberdeen; but there is no compulsory slaughter in Aberdeen, and it may send its cattle alive or dead as it pleases. It was explained by the hon. Member for Sheffield (Mr. Mundella) that Aberdeen, by the use of the railway and the telegraph, can adopt its supplies to the requirements of the London market. It is a totally different thing to be in a foreign country and to have to send off the cattle at a given time, by a given steamer, no matter what the state of the market is. If hon. Members opposite believe that restrictions do not interfere with trade, there is one more fact I should like to refer to. In 1842 we began our imports of foreign cattle, which date from the measures of that distinguished statesman, Sir Robert Peel. For a period of 23 years our imports continued to increase. In 1865 our imports reached their maximum. From 1865 up to now there has not been a year in which we have had so large an import as in that year. This is surely an extraordinary thing. Since 1865 we had added 6,000,000 or 7,000,000 to our population; meat has risen greatly in price; and yet we have never had so much importation as we had in that year. The reason is, that in that year began the restrictions that have so much harassed trade; it is owing to them that the imports have fallen off. In reply to all this hon. Members say—Shut out foreign cattle and you will shut out foreign disease, and when farmers have nothing to fear they will increase their stock of cattle. But it has been shown that in 1839, when we had ten times less connection with the Continent than even this Bill will allow, we suffered to an extraordinary degree from foot-and-mouth disease and pleuro-pneumonia. If the people of Manchester, whom I represent on this question, was asked to shut out the supply of foreign food on such arguments, they would say that the reasons given are altogether inconclusive; they would say that if you had more disease before you had free trade in cattle, you cannot reasonably ask us to shut out foreign cattle in the hope that we may thereby get rid of disease. With regard to the theory that farmers would have more cattle if they had more confidence or less fear of disease, I dispute it, because the facts are against the theory. The period of the rinderpest in 1866 was the time when farmers had the greatest anxiety and the greatest distrust, and when, in fact, they were in a state of panic; and from that time, according to this theory, the number of cattle in this country ought to have decreased. But from 1867 to 1874 there was a remarkable increase. In 1867 we had in the United Kingdom 8,731,473 cattle. In 1874 we had 10,281,036, or an increase of about 16 per cent. In that period over which the cattle plague cast its shadow, the increase in the number of cattle was in much larger proportion than the increase of population. From 1874 to 1877 there was a decrease, and what we had heard from the hon. Member for Sheffield and other hon. Members will explain it. We have had three or four unfortunate seasons; farmers have been losing money everywhere; and I am told by landlords that they are losing their tenants, and are scarcely able to let their farms. These facts show that farmers were getting impoverished, and, if so, it is absurd to suppose they would have as much cattle on their land as they had before. I contend that there is no proof that stock has diminished because of the fear of disease; and, however much may be hoped from this Bill by the farmers, the theory of an increase in the number of cattle can be demonstrated to be extremely doubtful. The hon. Member for South Norfolk (Mr. Clare Read) and the hon. and learned Member for Cambridgeshire (Mr. Rodwell) spoke in very sympathetic terms about the consumer. They did not seem to think or care much about the farmer; but they cared a great deal for the consumer. It is very remarkable if, that be so, that the fat stock for the consumer is to be absolutely shut out, and the lean stock for the farmer is to be let in. When you let in lean stock, and hides, hoofs, and horns; to ask us to exclude fat stock from fear of disease is to ask us to take a most irrational course. In the evidence taken last year it was shown that if disease existed at the port of embarkation, and if we imported nothing but dead meat, we might still import disease; and, therefore, if this Bill were to pass, the day might come when we should be asked even to exclude dead meat from coming into the country. There is a direct and there is an indirect evil which may be expected to result from the operation of this Bill. The direct evil is that 1*d.* per lb. or more may be added to the price of meat. If 1*d.* more were to be paid, it would come to £16,000,000 per annum, or something like an income tax of 10*d.* in the pound. What is the indirect evil? Why, at a moment when the manufactures of this country have to contend with great competition, difficulties are to be placed in the way of our obtaining food, and that food is to be sent to our competitors abroad. These restrictions will produce irritation, and irritation may produce retaliation; and when we go from capital to capital, as our merchants do to influence people in favour of free trade with this country, we shall have this matter thrown in our faces. The law as it stands was passed in 1869. It is most stringent, and is in favour of the farmer. We of the towns have patiently submitted to it, and the Government ought not to have disturbed it. Under that law the Privy Council has power to prohibit a country, to place it in the Schedule; or, in other words, to subject its cattle to compulsory slaughter, or to leave it free. At the present moment the cattle from Russia, Germany, and Belgium are prohibited; from France, Holland, and Schleswig they are scheduled; and they are only free from the following five countries:—Norway, Sweden, Denmark, Spain, and Portugal. Heavy as are these restrictions, if the people permit it they are to be made still heavier. The Bill is supported with the benevolent design of enabling the farmers of the United Kingdom to produce more meat. Suppose that the fear of disease is one reason why more meat is not produced, I wonder whether there may not be other reasons which deserve the consideration of the House. We had before the Committee a former Member of this House (Mr. Howard, of Bedford), and this was part of his examination—

> "8,335. Have you not known farmers who, in spite of all this, if they had capital and anything like energy, could produce a vast amount of meat?—Some farms in England produce three times what others do.
>
> "8,336. In spite of this fear of diseases?—Yes. Of course they are not the only reasons for a smaller supply of animal food being raised than could be raised.
>
> "8,337. You think that, besides the fear of disease, there are other influential reasons which deter the farmers from producing a large amount of meat?—There are very grave reasons.
>
> "8338. What sort of reasons?—Seeing that the great bulk of the country have not had, nor do they have now, security of capital, that has a very great influence in diminishing the supply of meat. Of course the want of security brings in another question which is a cognate one—namely, social position. If a man has not security he has not independence, and if he has not independence he has not social position; and the tendency of that is to drive men of spirit and men of capital out of farming. In my time I have known a vast amount of capital repelled from agriculture. Of course the game laws, to a certain extent, interfere with the production of meat."

In a limited country with an unlimited population—the increase being 3,000,000 to 4,000,000 every 10 years—with a territorial system which repels capital from the land, on the flimsiest of reasons urged by interested persons, the evil of the course we are invited to take being certain, the good more than doubtful, in circumstances like these, a Government, calling itself Conservative, proposes to force this Bill through the House, and once again to try the perilous experiment of creating a monopoly in the food of the people. If this Bill become law, it may have consequences which hon. Members have not contemplated. This, I am sure, they will admit—if the people of our great towns had not long ago had access to the granaries of the world, the territorial system of this country would have been changed. They would never have tolerated any system except that which produced the greatest amount of food; and if this Bill passes, and the feeling begins to grow that with our great and growing population we are condemned to take only the produce of our own limited soil, and are shut out from the meat supplies of the world, serious questions will be asked which hon. Members will have to prepare to answer. The right hon. Member for Bradford is a greater authority upon the question than any other Member of the House. He proved the Bill to be a sham as regards the home arrangements. Believing it will limit the supply of food for the people, I shall be prepared to join those Members who feel it to be their duty to offer every opposition that the Forms of the House will permit at the various stages of the Bill.

Sir WILLIAM HARCOURT said, the hon. Member for Mid-Lincolnshire (Mr. Chaplin) had referred to this Bill as the mere ghost of protection; but ghosts were only said to visit the earth when the body had been slain, for the purpose of vexing the living. He did not charge the hon. Member, or other hon. Gentlemen, with having the motive of Protection in view when they supported the Bill now before the House. Motives were not always easily understood; but what, as men of business and as men of the world, they had to look at, were the consequences of a certain course of action, and not the motives by which those consequences were produced. It was an old saying—and he believed it was a very true one—that the greatest mischiefs in the world had been the result of action taken by the best-intentioned people; and he wanted to guard against a blunder of the kind being committed on the present occasion. The measure now before the House might not be protectionist merely because it placed restrictions upon a foreign commodity. That was not the true test; let hon. Members see whether the Bill would be protectionist in its results. Was it proposed to apply, under similar circumstances, the same treatment to home cattle which it was proposed to apply to foreign cattle? What was the proposed treatment of foreign cattle? He thought he was correct in describing it as the indiscriminate slaughter at the port of entry of cattle from suspected and unsuspected countries alike. In that way it was evident that the trade would become a dead meat trade; but when, in fear of cattle disease some years ago, a sanitary cordon was drawn round London, the cattle dealers insisted upon the withdrawal of the cordon in order that they might remove their cattle alive from Islington and sell them in any of the provincial markets which were open for the sale of cattle. This was done, and therefore the argument that the Bill would not constitute a forced market—as compared with what happened 10 years ago—fell to the ground. That provision found no place in the Bill, which was intended to stamp out the disease. What he wished to argue—and most persons would agree with him—was, that the Bill must needs be prejudicial to the trade. The Duke of Richmond and Gordon had objected to its principle last year on that very ground, and had given instances from the French trade, bringing forward the fact that while no fewer than 112,618 head of cattle had come in during the six years ending 1869, during the seven years following 1869 the number had fallen to 24,095. Now it stood to reason that in hot weather, such as had lately been experienced, the trade could not be conducted if they insisted on compulsory slaughter. Live beasts might, in such weather, be sent into the country, but not dead meat. It had been urged that the ports would be largely benefited; but that could not be the case except by a very short-sighted policy, of which the newly-elected Member for Southampton (Mr. Giles) had disapproved. The Bill appeared to proceed upon the hypothesis that all cattle must come to England. But that was not so at all. There were other countries in the world besides England that wanted cattle, and a very small balance of inconvenience would drive cattle away to other places. Now that was the manner in which the Bill proposed to treat foreign cattle, and the question was, whether it was intended to treat English cattle in the same way? That was the test of the sincerity of those who supported the measure; that was the test of the *bona fides* of the Bill itself. If it had been intended to apply the same measures to home as to foreign cattle, the first thing the Government should have done would have been to have removed all discretion from the Privy Council. They would not, it seemed, trust that body in the case of foreign cattle. The hon. Member for South Norfolk (Mr. Clare Read) had, apparently, no very high opinion of the Privy Council, especially in the exercise of their discretionary powers over foreign cattle; and yet, in every clause of the Bill up to the 28th, there was mention of the Privy Council and their discretion. They were to be trusted in the case of rinderpest, of foot-and-mouth disease, and of pleuro-pneumonia; but, according to the hon. Member, not in the matter of foreign cattle. For his own part, he could not share the distrust expressed by the hon. Member, considering that they had more than once been successful in putting down the cattle plague. He wished to know whether the home counties were less to be suspected than the foreign countries to which the very stringent rules were to be applied? The hon. Member had described the state of Norfolk, and he could not understand why the regulations should be applied, not to Norfolk, but to the countries enumerated in the Schedule; nor could he discover a single reason why the cattle of Spain and Portugal should be treated more harshly than those of Norfolk. If the measure were of a *bonâ fide* character it would embody no such anomaly. And, surely, if the dead meat trade was the best in the world, all the Norfolk cattle had better be killed and sent to London. The hon. Member for South Norfolk had said that nothing could be better than the dead meat trade, and had given so charming a description of cool cellars and grottoes that one might almost wish to be converted into dead meat; but he had not expressed any wish that the Norfolk or Lincolnshire meat should be stowed in them, because he knew perfectly well that compulsory slaughter would paralyze his trade. The regulations, in short, were admirable for Spain or Denmark, but not for England. He maintained that this Bill was framed contrary to the advice of all scientific experts whose evidence had been given on this particular subject. The hon. Member for Mid-Lincolnshire had characterized those experts as muddle-headed Professors, and had said that we ought rather to take the advice of practical men, by whom he presumably meant farmers and country gentlemen. He would like to have more independent evidence than that of the farmers and country gentlemen; and it appeared to him that the scientific evidence was exactly the sort of independent testimony that was required. Yet the hon. Member for Mid-Lincolnshire rejected it altogether.

Mr. CHAPLIN explained, that he said, with regard to the opinion of the farmers as to whether they were prepared to accept these restrictions or not, we must take the opinion of their own Representatives, and not the opinion of different Professors.

Sir WILLIAM HARCOURT remarked, that if the farmers were willing to accept equal restrictions with the foreigner, he should be glad to support the Bill. Upon this subject it was impossible to reject the opinion of such men as Professor Simonds and Professor Brown, both of whom said it would be ridiculous to stop imports until we put in force with regard to the home trade regulations which they did not believe would be submitted to. Such restrictions were even more stringent than those recommended by the Committee of 1877. That Committee recommended that no further restrictions should be placed on the importation of foreign cattle in respect to foot-and-disease and pleuro-pneumonia, unless at the same time Orders were enforced throughout Great Britain in every district where disease existed, prohibiting all movement of cattle, except under a licence, and also that fairs and markets should be under similar restrictions. Hon. Gentlemen opposite had not accepted these restrictions, and yet they said the present Bill was a measure for stamping out disease. There was another remarkable thing about the Bill. These recommendations had been partially accepted with reference to pleuro-pneumonia. The Bill contained a prohibition as to pleuro-pneumonia in districts and markets, and the restrictions were also applied to foot-and-mouth disease in the Bill as it first appeared in the House of Lords. They had, however, disappeared. Did they disappear at the instance of the farmers, who, according to the hon. Member for Mid-Lincolnshire, were anxious to have these restrictions imposed? He knew, at least, one of the reasons why they had disappeared. Two interesting speeches had been made by Gentlemen who represented counties in Ireland. Those Gentlemen said—"There is too much restriction in the Bill already, and if you attempt to introduce any more, we will have nothing to do with it." In his opinion, if anything were done to make the Bill more efficient in respect of home restrictions, the Secretary to the Treasury would have a good deal of trouble from the Irish Members. But did anyone representing English agricultural interests maintain that Irish cattle were less infected than Spanish, or Portuguese, or Danish cattle? If not, why did they not apply the same rule to cattle coming from Ireland, and say they must be slaughtered at Liverpool? Simply because they dared not make such a proposal. This, then, was the situation. The Government could not increase the restrictions on home cattle, because there was an opposition which they could not face. They could not relax or diminish the restrictions on foreign cattle, because the English farmers and their Representatives would not allow them to do so. That was the true history of the utterly illogical and indefensible character of this Bill. If they would be fair in the matter, and treat the foreign on the same footing as the home cattle, they would leave it to the discretion of the Privy Council. But the way in which it was proposed to deal with the matter in this Bill was unequal and unjust. It was a measure of Protection, not against disease, but against competition. Again, let the measure be tested in another way. Fat cattle were to be slaughtered, but lean stock and store stock were to be admitted under quarantine. Was one kind less infectious than the other? No; but the English farmer wanted the one, and he did not want the other. There was, no doubt, a great deal of division in that House on the subject of the Bill, although it was not, so to speak, a longitudinal division. He was sorry to find himself on the present occasion entirely opposed to his hon. Friend and Relative who represented the county of Oxford. But then they approached the question from different points of view. His hon. Friend and Relative was a proprietor of land and the owner of flocks and herds, while for himself he belonged to the class of lacklanders, and represented a borough. His hon. Friend said his constituents were in favour of the Bill; but both the Corporation and the inhabitants of the city of Oxford had presented Petitions against it. He had listened, he might add, that evening with great attention to the speech of the hon. Member for Preston (Mr. Hermon), who, he observed, often exercised an independent judgment on questions which came before the House. The speech of the hon. Gentleman that evening was very satisfactory; because, though he said he would vote for the second reading of the Bill, he announced it to be his intention to oppose the third reading, which was, on the whole, perhaps the most important stage. But his speech was throughout one against the Bill. The hon. Gentleman was in favour of discretion being vested in the Privy Council, in favour of admitting a great number of foreign countries to the traffic in live cattle, and of imposing greater restrictions on home cattle for the purpose of stamping out disease. In short, it was impossible for a speech to be more conclusive against the Bill than that of the hon. Gentleman. Again, there was the hon. Member for the Tower Hamlets (Mr. Ritchie), who had the other night spoken very much to the same effect, and who entered his protest against the statement of a Cabinet Minister that he was a warm supporter of the measure. That was a course which naturally prevailed among Members who represented boroughs. He was the Representative of a borough which wanted truck loads of beef from Southampton, and they got them now and then from Spain and Portugal. How could they have got them last week if the Bill before the House had been law? And those truck loads of beef, he might remark, although they might form but a small proportion of the consumption of the place, yet, owing to the mere fact of their being obtainable, served to control prices. There was, besides, the question of offal, which, although not a very savoury, was a very important one. Nothing had left on his mind a more lasting impression than the evidence which had, 10 years ago, been given with respect to offal before the Committee to which he had already referred. It furnished food for the poorer classes who could not afford to buy the better parts of the beef. As matters at present stood, if a truck load of beef arrived from Southampton in Oxford, the poorer inhabitants had the benefit of the offal—such as the hearts and livers of the animals—but if they were killed at Southampton, the offal would certainly not find its way to Oxford. It was a commodity of a cheap character, and would not bear the expense of carriage. Even with respect to the importer an injustice would be created, for he would not, and could not, have so good a market for his offal; or, at all events, would have to sell it at a reduced price. The House ought to listen, he maintained, in dealing with the question before it, to the butchers. They were quite as worthy of being attended in a matter affecting consumption as the farmers, although they were looked upon by the hon. Member for South Norfolk as the authors of all evil. As to the question being one of equivalents, his reply to the argument of the hon. Member for Mid-Lincolnshire on that point was—"You take the consideration from us as against the foreign importer; but you do not give the equivalent, which was recommended by your own Committee, which was originally inserted in the Bill, and which was struck out because the farmers will not consent to your restrictions." He was not aware what would be the course taken by the Government in connection with the Bill. They did not seem to take that profound interest in it which might have been expected; but as the subject was one in which the country took a growing interest, no doubt the Chancellor of the Exchequer would have something to say on the matter before the debate closed. He had been rather surprised during the last two hours at seeing the Secretary to the Treasury left by himself in solitary grandeur; it seemed almost as if the Treasury Bench had been declared to be an infected place; but he was sure that the Leader of the House would not allow the whole burden of expressing the decision of the Government on this matter to fall upon him. The Government were placed in a very difficult position with regard to this Bill; because some of their supporters wished that the restrictions against the importation of foreign cattle should be made more strict, while others desired that they should be relaxed; and, on the other hand, there was equal divergence of opinion with regard to the regulations of the home cattle trade. How the Government were going to reconcile the feelings of the hon. Members behind them who were going to vote for the second reading of this Bill he could not surmise. He hoped, however, that the Chancellor of the Exchequer would explain to the House what modifications the Government were prepared to introduce into the measure. It was said in reply—"Oh, wait till we get into Committee." But everyone knew that unless the whole question were thoroughly debated on the second reading, there would be very little chance of effecting much by way of change in Committee. Every hon. Member who was prepared to vote for the second reading of this Bill knew that it was of a purely protectionist character, calculated to discourage and eventually to destroy the foreign trade in live cattle, and thus to cause serious injury to the interests of the consumer. On these grounds, he should offer the measure his most strenuous opposition on this and on every other stage.

Mr. MITCHELL HENRY: I am greatly puzzled to know in what way I ought to vote with regard to the proposal of the right hon. Gentleman the Member for Bradford (Mr. W. E. Forster); because, on the one hand, all the arguments seem to me to array themselves upon one side, while all that I know of epidemics as they affect human beings seems to me to coincide with the views of those opposed to this Bill; on the other hand, there can be no doubt that the people of Ireland, and especially that part of it which I represent—the agricultural districts of Ireland—are in favour of the Bill. That feeling was very strongly expressed by a deputation which waited upon the Duke of Richmond and Gordon upon this subject, and the deputation from Ireland was received with great courtesy and kindness by the noble Duke. The deputation was accompanied by a gentleman who is considered a great authority upon agriculture and diseases of cattle—I mean Mr. Baldwin—who stated his opinion that unless this Bill were carried in its present form, it would be utterly useless for the suppression of epidemic diseases. He would not hear of any discretion being given to the Privy Council to permit the importation of live cattle and their transit from the seaports even when the countries from which the cattle came were free from disease. In Ireland, also, the people have been told that the effect of the measure will be to raise the price of cattle £5 per head. I myself have been canvassed to vote for the Bill upon that very ground, and I have no doubt that the Irish people really believe that the effect of it will be to enhance the value of the only commodity in which they deal—namely, cattle. But, I wish to warn the Irish people that the effect of this measure will not be what they think. If they wish to see the real intentions of those who promote the measure, they must not look at the perfectly harmless Bill that we are discussing, to-day, but at the original Bill as it was brought forward in the House of Lords, and to the words—uttered now with bated breath by hon. Gentlemen opposite, but then loudly enough—with which the Bill was originally introduced in that place. They will see that the Government then believed, and the agricultural classes in the country believed, that the focus of disease against which England ought to be guarded is to be found in Ireland. This is only the thin end of the wedge; this Bill is only one step in the direction of protecting English cattle by putting Ireland under regulations similar to those which it is now proposed to apply to foreign countries. I feel certain that this was the original intention of this Bill, and that, when the Bill has been carried, and the Government has obtained a triumph in this direction, unless the foot-and-mouth disease and pleuro-pneumonia disappear, stringent measures will be taken against Ireland. Therefore, the question is, whether the Bill as it now stands will put an end to foot-and-mouth disease and pleuro-pneumonia? I do not suppose that anyone in their senses will pretend that it will do so. Whatever the origin of these epidemic diseases may be, is a matter of historical and medical interest only. All of these are now acclimatized in this country. They exist in Ireland; and both foot-and-mouth disease and pleuro-pneumonia are as epidemic in Ireland as they are in England and in foreign countries. But we know perfectly well that epidemic diseases affect cattle much in the same way that they affect man. In former ages human beings were subject to the plague and other forms of disease from which we are now happily free. The only known resource was legislation, and it was sought to guard against disease by means of a stringent quarantine. I suppose no one who has travelled 30 years ago has not been exposed to quarantine. In some foreign countries at this moment quarantine is very strictly enforced. But the progress of knowledge has taught us that these precautions are absolutely worthless, unless you also take precautions of a very different kind. We have got rid of many fearful epidemic diseases; we have got rid of the Plague, the Black Death, the Sweating Sickness, and of a variety of epidemics of the Middle Ages, not by quarantine, not by preventing persons coming here or departing from places where the diseases are epidemic, but by better hygienic measures, and by better knowledge as to the mode in which these diseases are to be treated. The whole matter is summed up in the expression—"Greater cleanliness and better means of supplying fresh air and fresh water." That is the way in which we must also seek to get rid of epidemics amongst cattle. We must take better care of the unfortunate creatures which we compel to travel by land and by water in closely-packed railway trucks and steamers. Suppose this Bill is passed, and you cause all foreign cattle to be slaughtered at the port of landing, what effect will that have upon the foot-and-mouth disease or upon pleuro-pneumonia, if you are still to admit infected animals from Ireland into the English market or *vice versâ?* The Duke of Richmond and Gordon promised the deputation that waited upon him that the double inspection of Irish cattle at the port of embarkation and the port of debarkation should be done away with. Everyone in England says that the inspection of the animals before embarkation in Ireland is exceedingly imperfect. The reason of that is, or is alleged to be, that there is a dearth of veterinary surgeons in that country. Therefore, you require to re-inspect the cattle after they have arrived in England. The noble Duke promised the Irish deputation to do away with the double inspection; but I appeal to them and to the Irish people generally whether, even if the noble Duke is sincere—which I do not doubt—he has the power to carry out a promise such as he has made? When a clamour arises from the opposite Benches in favour of more stringent measures against the importation of disease from Ireland, what will become of the promises of the noble Duke? What will become of all those promises to the Irish farmers, which have induced them to give their support to this Bill? We shall find that they will go where promises proverbially go. I cannot find it in my conscience to vote in favour of the second reading of this Bill, and I believe my not doing so is very likely to be open to misconstruction in Ireland. At the same time, I would rather do that and suffer the risk of misconstruction than give the Irish people, even by so small a matter as my vote, a gift which I think will bring destruction upon the only trade left to them. Let the Irish people remember this—that if, as has been promised to graziers, the price of Irish cattle be raised for the moment £5 per head, that even then the consumers of meat in the boroughs of Ireland will suffer in their supply. So far from desiring to increase the price of food, I think it is our duty to do everything we can to decrease it, because cheapness of production and active trade go together. The people are badly enough fed in Ireland at the present moment. I do not wish some of them to be better fed for the moment at the expense of many years probably of worse food to the majority; for, in the end, all classes will suffer together. For this reason, I certainly shall not vote in favour of the Bill; but, in deference to the views so strongly expressed by the deputation, I shall not at this stage vote in favour of the Amendment of the right hon. Gentleman the Member for Bradford. That is to say, I shall not give any vote at all at this particular stage; but I shall certainly endeavour to restore to the Privy Council those functions which a Privy Council is bound to exercise, and which would enable it to determine whether cattle shall be removed from the ports with a clean bill of health or not. I ask myself the question, why this Bill is accepted and advocated in this modified form? and I know why. The Government now in Office claims to be essentially the farmer's friend. The farmers have had three very bad seasons, and it is necessary that some of the promises that have been made to them should be at least in name fulfilled. Farmers are not always very good reasoners; I can understand a conversation taking place between them, in which one would say to the other that the epidemics by which their cattle were destroyed were brought into the country by those "nasty foreign cattle." The Government answer—"We cannot quite keep all foreign cattle out, but we can do the next best thing—we can kill them as soon as they come within our shores and thereby give you some increase in the price of your own cattle." That argument has been used in Ireland, and I have no doubt that it has also been used in England; but I warn my countrymen that this Bill will be followed by other Bills which will treat Ireland as a foreign country, in the way in which it was treated in the Bill originally introduced into the House of Lords by the Duke of Richmond and Gordon.

Sir HENRY SELWIN-IBBETSON said, he was not at all in that isolated condition that his hon. and learned Friend (Sir William Harcourt) depicted. Setting aside the observations with which the hon. and learned Gentleman had amused himself, he did not think the Government had any right to complain of the tone of this debate. Assisted by the right hon. Gentleman who moved the Amendment, Party element had been entirely eliminated from the debate; and the Bill, as he ventured to think, although discussed at some length, had been discussed entirely upon its merits. There were certain points which had been introduced, to which he should like to refer. First of all, he could not help expressing his satisfaction that the right hon. Gentleman who moved the Amendment moved it really to raise a debate, and expressed his approval of many of the provisions of the Bill; but, besides stating that there were some provisions of the Bill with which he was satisfied, the right hon. Gentleman said that if it were proved—and he ventured to think it would be proved—that slaughter at the ports of landing was necessary to stamp out disease, it would be the duty of the consumers, as well as their interest, to suffer a temporary loss through the diminution of a foreign supply in the belief that the home supply would be considerably increased. It was because he (Sir Henry Selwin-Ibbetson) believed that the Bill would effect that stamping-out process, that he thought his right hon. Friend was bound to support the measure. He was aware that the right hon. Gentleman did not believe that it would do so, and had expressed his opinion that it would increase the price and diminish the supply of meat. The same idea seemed to be impressed upon the minds of many other hon. Members. The hon. Member for Liverpool (Mr. Rathbone) stated that the Bill would limit the supply of meat, and would, therefore, raise its price to the working classes in a time of difficulty. The hon. Gentleman the junior Member for Birmingham (Mr. Chamberlain) looked upon the Bill as one which would stamp out the foreign trade in live stock, and, by decreasing the supply, increase the price of meat; while the hon. Member for Leeds (Mr. Barran) argued that the price of meat had increased lately, and that the foreign supply would be stopped by the Bill, and that the people would be starved, or, at least, would not get meat at the price at which they ought to get it. He ventured to think that all these arguments used by hon. Members opposite were based upon the assumption that the foreign supply formed a large proportion of that upon which the towns they represented depended, and had relied upon for a considerable time, and, further, that under the Bill, that supply would be stopped. The right hon. Gentleman the Member for Bradford stated that the foreign supply represented 12½ per cent of the whole supply brought to the market in this country.

MR. W. E. FORSTER observed, that he had stated that in these calculations he had rather under than over-estimated the percentage.

SIR HENRY SELWIN-IBBETSON had understood his right hon. Friend to say that the figures ranged from 5 per cent on the one hand, to 15 per cent on the other, and that he took the mean between the two. The House should remember, in looking at this question of the foreign supply, what portion of it was swallowed up by the Metropolis. It had been stated by his right hon. Friend that for some time the supply of foreign beasts to London had amounted to from 40 to 45 per cent of the total importation. Now, the total number of animals in Great Britain in 1877, as reported by the Inspectors, was 36,357,895. One-fourth of that number would come into the market each year, according to the calculation which had been made, and had been accepted by several hon. Members, and would represent 9,890,000. There came into London in the year 981,000, so that there would remain 8,909,000 to be consumed by the rest of the country. The total of the foreign importation was 1,090,000 for the same year. Of these, there were slaughtered 827,488 in the London market, so there remained 168,803 to be carried into the country. That gave a little over 2 per cent of the foreign supply for consumption in the towns over the country, and represented the loss in the supply which they would suffer if the foreign supply entirely ceased. He would refer to the evidence upon that point given by witnesses before the Committee. Mr. Lambert, cattle salesman at Manchester, described that town as dependent, to a certain extent, upon foreign sheep; but as receiving hardly any import of foreign cattle. In the case of Glasgow, it would be found in the same Return, that the foreign cattle introduced for some years had been entirely Canadian and American, and that the only foreign animal imported there last year was one Indian pig. Much the same history was reported from Liverpool, in which the larger portion of the supply had also come from America and Canada. From the figures he had quoted, it would be seen that the effect of the stoppage of the foreign supply would not be as the hon. Members for Liverpool and Salford had stated, and the towns in the country would not by the stoppage of the foreign trade be deprived of their present supply. With regard to what fell from the hon. Member for Liverpool, as to the establishment of a market in a place where there was no possibility of one being created, he hardly seemed to appreciate the facts. From the information which had reached him, he might state that at Birkenhead a large available locality, consisting of unoccupied ground, in immediate communication with the docks, had been found to exist. There was no doubt that it could be turned into one of the finest landing places in the world. He should like now to ask the House what had been, for some time past, the real facts of the case with regard to this foreign supply? Since January, 1877, till the present time—about 18 months—the importation of cattle had been entirely prohibited from Germany, Belgium, and Russia. Sheep from Germany, Belgium and Cronstadt, had been slaughtered at the port of debarkation, and all the sheep, with the exception of 44,000, coming from Denmark, Spain, and Portugal, had likewise been slaughtered. They had, therefore, been dependent for the whole supply of sheep, with the exception he had stated, upon that slaughtered at the ports, and the American supply that had come in. In introducing the measure to the House, evidence was quoted to show that for a very considerable period this trade had been carried on at a time when all sheep imported from Germany, and other foreign countries, had been slaughtered at the port of debarkation. He would ask the House to remember that that supply had come in to these inland towns, notwithstanding the slaughter at the ports. The whole argument on the other side was founded on the assumption that the supply from foreign countries would be absolutely stopped, yet for 18 months, as he had shown, they had had a constant supply. Indeed, a much larger supply had come in from Germany than before. Last year 162,000 more sheep came in from Germany than in any previous year. If that were the case, as these figures showed, and the trade had increased, notwithstanding the slaughter at the ports, how was it possible to say that the trade would be injured? What the Bill would do away with was the uncertainty, which everyone admitted was a detriment to the trade, and when that was done away with, and an absolute certainty of slaughter at the ports existed, it might be justly assumed that the trade would increase considerably over what it now was. As witnesses had stated before the Committee, it was because of the great uncertainty whether cattle would go into the market or would not, that butchers kept away from the market; but when the supply was guaranteed, a trade would arise, which would secure a certain supply for slaughter at the ports. With respect to the dead meat trade, he would refer to the fact that in 1876 13,000 cattle, representing a value of £748,000, were imported from America, and that in 1877, the number of cattle had increased to 30,000, with a value of £1,670,000. That increase showed that the trade in dead meat was not a declining or an unremunerative one; while, from the evidence before the Committee, it was clear that it was, to a certain extent, in its infancy. To show that the dead meat, when properly preserved, would bear the test of travel in this country, an importer had carried a quarter from Liverpool to London along with a quarter of fresh meat, and he found that the American meat bore exposure to the air better than the English meat. There was evidence on all hands that when the trade was brought into something like a satisfactory condition by proper arrangements being made, it would be found possible to bring over meat to compete with the home supply of this country. The right hon. Gentleman the Member for the University of Edinburgh (Mr. Lyon Playfair) admitted that it was possible, and even probable, that the method of bringing dead meat from America might be improved; and, although he doubted whether it could be kept or carried in this country, it must not be assumed that it would be long before the enterprize of Englishmen devised a process to enable it to be carried in the country. That, he ventured to think, would in future be the condition of their foreign supply, and if they added to that the increase in their flocks and herds at home in consequence of stamping out disease, then the result must be a very large increase in the total supply. With regard to the increase in home stock, it depended upon whether the disease could be stamped out. The hon. Member for Birmingham, and others, had argued that it was indigenous here, and he believed it was beyond dispute that foot-and-mouth disease and pleuro-pneumonia were in this country in 1839 and 1840, before the trade in foreign animals began in 1842; but Professor Simonds showed that they were brought in by ships' stores at Stratford, and spread eastward. The right hon. Member for Edinburgh (Mr. Lyon Playfair) had inferred that the inspection of cattle was so efficient that no disease could occur in England save through the home supply. He challenged him (Sir Henry Selwin-Ibbetson), as far as he remembered, to show a single instance in which cattle had passed the veterinary inspection at the port of landing, and become the centre of an outbreak of the disease in England. Now, being challenged in that way, suddenly, it was not always easy to find an answer to the allegation; but luckily, or rather unhappily, for him, there was a case in his own county, which was the very sort the right hon. Gentleman wanted to meet his question. The instance was one of a farmer who lived at Romford. He had a herd of 62 cattle, and through the agency of an importer, named Honck, he imported 40 in-calf Dutch cows, which were landed at Thames Haven, and passed the veterinary Inspector. They were sent by rail to his farm without being brought into contact with any other animals. They were placed in entirely separate fields from the other stock, and two days after they arrived they were found to be suffering from foot-and-mouth disease. The most disastrous results followed, and, as a result, the gentleman to whom he referred, Mr. Preston, sold off all his stock, ceased to be a breeder, and kept only enough cattle to supply his house. There could be no doubt about this case, as it had come to him from a quarter on which he could rely. Therefore he answered the right hon. Gentleman by saying that here was a case of disease which had certainly passed the Inspector, and which had been the means of producing disastrous results. All that the Bill proposed to do was to put an end to the spread of disease by slaughter at the port of debarkation. Of course, the measure might not be as strong as some desired; but it had been framed as it now stood in deference to the Report of the Select Committee in "another place." He considered, however, that the clauses which had been so much attacked were, after all, far more stringent than many hon. Members imagined. In the first place, as far as home restriction was concerned, they got rid of that want of uniformity in regulations which now prevailed among local authorities, and which, no doubt, had led to the spread of disease in past years. In the next place, although the noble Lord opposite (Lord Frederick Cavendish) had declared that all restrictions against foot-and-mouth disease had been abandoned, that certainly was not so. To prove his assertion, he would point to the 30th clause of the Bill, by which the Privy Council might make such Orders as they might from time to time think fit. In fact, if the noble Lord had looked at the clauses, he would have seen that the Privy Council had power to lay down rules not only for the regulation of markets and fairs, but for the regulation of the passing and movement of infected animals, or animals from infected districts. They were, further, empowered to declare that a district consisted of lands adjoining an infected place, or to enlarge the meaning of the word "district" or "place," should they consider that to be necessary. He desired to remind the House that the Committee had before them Professor Müller, from Germany, and what did he show? Why, that the German Government did not attempt to get rid of these diseases, and he said, if it was to be got rid of in England, the imports must be restricted, or slaughter at the port of landing decided upon. He maintained that the Bill before the House contained an earnest and genuine attempt to stamp out the diseases with which it was designed to deal. It had been shown conclusively that slaughter at the port of debarkation was the only way of stamping out disease. He hoped sincerely the Bill would be passed. He believed that the regulations as to the home supply were sufficient to keep the disease in check, and the slaughter of foreign animals at the ports of debarkation would not interfere with the foreign supply. He believed the consumers in large towns would find that the bugbear of a limited supply of meat only existed in the minds of politicians of that House. All that the Bill proposed was this. Instead of protecting the farmer, it had as its desire to prevent and destroy disease, and thus, in the end, make meat cheap and plentiful.

Question put.

The House *divided:*—Ayes 319; Noes 162: Majority 157.

AYES.

Acland, Sir T. D.
Agnew, R. V.
Alexander, Colonel
Allen, Major
Allsopp, C.
Allsopp, H.
Anstruther, Sir W.
Arbuthnot, Lt.-Col. G.
Archdale, W. H.
Arkwright, A. P.
Arkwright, F.
Ashbury, J. L.
Assheton, R.
Astley, Sir J. D.
Bagge, Sir W.
Bailey, Sir J. R.
Balfour, Sir G.
Barclay, A. C.
Barclay, J. W.
Baring, T. C.
Barrington, Viscount
Barttelot, Sir W. B.
Beach, rt. hon. Sir M. H.
Beach, W. W. B.
Beaumont, W. B.
Bective, Earl of
Benett-Stanford, V. F.
Bentinck, rt. hon. G. C.
Bentinck, G. W. P.
Beresford, G. De la P.
Biddulph, M.
Blackburne, Col. J. I.
Blake, T.
Boord, T. W.
Bourke, hon. R.
Bourne, Colonel
Bousfield, Colonel
Bowen, J. B.
Brassey, H. A.
Brise, Colonel R.
Broadley, W. H. H.
Brooks, W. C.
Browne, G. E.
Bruce, hon. T.
Bruen, H.
Brymer, W. E.
Bulwer, J. R.
Burghley, Lord
Burrell, Sir W. W.
Buxton, Sir R. J.
Cameron, D.
Campbell, C.
Castlereagh, Viscount
Cave, rt. hon. S.
Cavendish, Lord G.
Cecil, Lord E. H. B. G.
Chaine, J.
Chaplin, Colonel E.
Chaplin, H.
Cholmeley, Sir H.
Christie, W. L.
Churchill, Lord R.
Clive, Col. hon. G. W.
Close, M. C.
Clowes, S. W.
Cole, Col. hon. H. A.
Collins, E.
Colman, J. J.
Conyngham, Lord F.
Corry, hon. H. W. L.
Corry, J. P.
Cotes, C. C.
Cotton, W. J. R.
Cowper, hon. H. F.
Crichton, Viscount
Cross, rt. hon. R. A.
Cubitt, G.
Cust, H. C.
Dalkeith, Earl of
Denison, W. B.
Denison, W. E.
Dickson, Major A. G.
Digby, Col. hon. E.
Duff, J.
Duff, R. W.
Dunbar, J.
Dundas, J. C.
Dyott, Colonel R.
Eaton, H. W.
Edmonstone, Admiral Sir W.
Egerton, hon. A. F.
Egerton, hon. W.
Elliot, Sir G.
Elliot, G. W.
Elphinstone, Sir J. D. H.
Emlyn, Viscount
Errington, G.
Estcourt, G. S.
Evans, T. W.
Fay, C. J.
Fellowes, E.
Finch, G. H.
Fitzwilliam, hon. C. W. W.
Forester, C. T. W.
Foster, W. H.
Fremantle, hon. T. F.

French, hon. C.
Freshfield, C. K.
Gallwey, Sir W. P.
Galway, Viscount
Gardner, J. T. Agg-
Gardner, R. Richardson-
Garnier, J. C.
Gathorne-Hardy, hn. A.
Gathorne-Hardy, hn. S.
Gibson, rt. hon. E.
Giffard, Sir H. S.
Gilpin, Sir R. T.
Goddard, A. L.
Goldney, G.
Gooch, Sir D.
Gordon, Sir A.
Gordon, Lord D.
Gordon, W.
Gore-Langton, W. S.
Grantham, W.
Greene, E.
Gregory, G. B.
Hall, A. W.
Halsey, T. F.
Hamilton, Lord C. J.
Hamilton, I. T.
Hamilton, right hon. Lord G.
Hamilton, Marquess of
Hamilton, hon. R. B.
Hanbury, R. W.
Hankey, T.
Harcourt, E. W.
Hardcastle, E.
Harvey, Sir R. B.
Hay, rt. hn. Sir J. C. D.
Helmsley, Viscount
Herbert, hon. S.
Hermon, E.
Hervey, Lord F.
Heygate, W. U.
Hick, J.
Hildyard, T. B. T.
Hill, A. S.
Holford, J. P. G.
Holker, Sir J.
Holland, Sir H. T.
Holmesdale, Viscount
Home, Captain
Hood, Captain hon. A. W. A. N.
Hope, A. J. B. B.
Howard, E. S.
Hubbard, E.
Jervis, Colonel
Johnson, J. G.
Johnstone, Sir F.
Johnstone, Sir H.
Jolliffe, hon. S.
Jones, J.
Kennaway, Sir J. H.
King-Harman, E. R.
Kingscote, Colonel
Knight, F. W.
Knightley, Sir R.
Knowles, T.
Lacon, Sir E. H. K.
Laing, S.
Learmonth, A.
Lechmere, Sir E. A. H.
Lee, Major V.
Legard, Sir C.
Legh, W. J.
Leighton, Sir B.
Leighton, S.
Lennox, Lord H. G.
Leslie, Sir J.
Lewis, C. E.
Lewisham, Viscount
Lindsay, Col. R. L.
Lloyd, T. E.
Lopes, Sir M.
Lorne, Marquess of
Lowther, hon. W.
Lowther, rt. hon. J.
Macartney, J. W. E.
Macduff, Viscount
Mac Iver, D.
M'Lagan, P.
Maitland, W. F.
Majendie, L. A.
Makins, Colonel
Malcolm, J. W.
Mandeville, Viscount
Manners, rt. hn. Lord J.
March, Earl of
Marten, A. G.
Master, T. W. C.
Merewether, C. G.
Mills, Sir C. H.
Monckton, F.
Montgomerie, R.
Montgomery, Sir G. G.
Moore, S.
Moray, Colonel H. D.
Morgan, hon. F.
Mowbray, rt. hon. J. R.
Mulholland, J.
Muncaster, Lord
Murphy, N. D.
Newdegate, C. N.
Newport, Viscount
Noel, rt, hon. G. J.
Nolan, Major
North, Colonel
Northcote, rt. hon. Sir S. H.
O'Beirne, Major
O'Brien, Sir P.
O'Neill, hon. E.
Onslow, D.
O'Sullivan, W. H.
Palk, Sir L.
Parker, Lt.-Col. W.
Pell, A.
Pender, J.
Pennant, hon. G.
Peploe, Major
Percy, Earl
Phipps, P.
Pim, Captain B.
Plunket, hon. D. R.
Plunkett, hon. R.
Polhill-Turner, Capt.
Portman, hon. W. H. B.
Powell, W.
Praed, C. T.
Praed, H. B.
Price, Captain
Read, C. S.
Redmond, W. A.
Rendlesham, Lord
Repton, G. W.
Ridley, Sir M. W.
Ritchie, C. T.
Rodwell, B. B. H.
Round, J.
Russell, Sir C.
Ryder, G. R.
Sackville, S. G. S.
St. Aubyn, Sir J.
Salt, T.
Sandon, Viscount
Sclater-Booth, rt. hn. G.
Scott, Lord H.
Scott, M. D.
Selwin - Ibbetson, Sir H. J.
Severne, J. E.
Shaw, W.
Sheil, E.
Smith, A.
Smith, F. C.
Smith, S. G.
Smith, rt. hn. W. H.
Smyth, P. J.
Smollett, P. B.
Somerset, Lord H. R. C.
Stafford, Marquess of
Stanhope, hon. E.
Stanhope, W. T. W. S.
Stanley, rt. hn. Col. F.
Starkey, L. R.
Starkie, J. P. C.
Steere, L.
Stewart, M. J.
Storer, G.
Sullivan, A. M.
Sykes, C.
Synan, E. J.
Talbot, C. R. M.
Talbot, J. G.
Tavistock, Marquess of
Taylor, D.
Taylor, rt. hon. Col.
Temple, right hon. W. Cowper-
Thornhill, T.
Thynne, Lord H. F.
Tollemache, hon. W. F.
Torr, J.
Tremayne, J.
Turnor, E.
Verner, E. W.
Vivian, A. P.
Vivian, H. H.
Wait, W. K.
Walker, T. E.
Wallace, Sir R.
Walpole, rt. hon. S.
Walsh, hon. A.
Warburton, P. E.
Watson, rt. hon. W.
Welby-Gregory, Sir W.
Wellesley, Colonel
Wells, E.
Wethered, T. O.
Whitelaw, A.
Williams, Sir F. M.
Wilmot, Sir H.
Wilmot, Sir J. E.
Wilson, W.
Woodd, B. T.
Wroughton, P.
Wynn, C. W. W.
Yarmouth, Earl of
Yorke, J. R.
Young, A. W.

TELLERS.
Dyke, Sir W. H.
Winn, R.

NOES.

Adam, rt. hn. W. P.
Allen, W. S.
Amory, Sir J. H.
Anderson, G.
Ashley, hon. E. M.
Barran, J.
Bass, A.
Baxter, rt. hn. W. E.
Bazley, Sir T.
Biggar, J. G.
Brassey, T.
Briggs, W. E.
Bright, J. (Manchester)
Bright, rt. hon. J.
Bristowe, S. B.
Brown, A. H.
Brown, J. C.
Burt, T.
Cameron, C.
Campbell, Sir G.
Campbell-Bannerman, H.
Cave, T.
Cavendish, Lord F. C.
Chamberlain, J.
Chambers, Sir T.
Charley, W. T.
Childers, rt. hon. H.
Clifford, C. C.
Cole, H. T.
Colebrooke, Sir T. E.
Cordes, T.
Courtney, L. H.
Cowan, J.
Cowen, J.
Cross, J. K.
Davies, D.
Davies, R.
Delahunty, J.
Dilke, Sir C. W.
Dillwyn, L. L.
Dodson, rt. hon. J. G.
Duff, M. E. G.
Edwards, H.
Egerton, Admiral hn. F.
Fawcett, H.
Ferguson, R.
Forster, Sir C.
Forster, rt. hon. W. E.
Giles, A.
Gladstone, rt. hn. W. E.
Gladstone, W. H.
Gorst, J. E.
Goschen, rt. hon. G. J.
Gourley, E. T.
Gower, hon. E. F. L.
Grant, A.
Gray, E. D.
Greenall, Sir G.
Grey, Earl de
Grosvenor, Lord R.
Harcourt, Sir W. V.

Harrison, C.
Harrison, J. F.
Hartington, Marq. of
Havelock, Sir H.
Hayter, A. D.
Herschell, F.
Hibbert, J. T.
Hill, T. R.
Holland, S.
Holms, J.
Hopwood, C. H.
Howard, hon. C.
Hughes, W. B.
Hutchinson, J. D.
Ingram, W. J.
Jackson, Sir H. M.
James, Sir H.
James, W. H.
Jenkins, D. J.
Jenkins, E.
Kay - Shuttleworth, Sir U.
Kennard, Colonel
Kensington, Lord
Leatham, E. A.
Lefevre, G. J. S.
Leith, J. F.
Lloyd, M.
Locke, J.
Lowe, rt. hon. R.
Lubbock, Sir J.
Lush, Dr.
Lusk, Sir A.
Mackintosh, C. F.
M'Arthur, A.
M'Arthur, W.
M'Kenna, Sir J. N.
M'Laren, D.
Maitland, J.
Marling, S. S.
Massey, rt. hon. W. N.
Mellor, T. W.
Middleton, Sir A. E.
Monk, C. J.
Moore, A.
Morgan, G. O.
Morley, S.
Mundella, A. J.
Muntz, P. H.
Naghten, Lt.-Colonel
Noel, E.
O'Conor, D. M.
O'Conor Don, The
O'Donoghue, The
O'Gorman, P.
Otway, A. J.
Palmer, G.
Parker, C. S.
Pease, J. W.
Pennington, F.
Perkins, Sir F.
Philips, R. N.
Playfair, rt. hon. L.
Plimsoll, S.
Potter, T. B.
Power, R.
Ramsay, J.
Rathbone, W.
Ripley, H. W.
Robertson, H.
Russell, Lord A.
Samuda, J. D'A.
Samuelson, B.
Sanderson, T. K.
Seely, C.
Sheridan, H. B.
Shute, General
Sidebottom, T. H.
Simon, Mr. Serjeant
Smith, E.
Spinks, Mr. Serjeant
Stansfeld, rt. hon. J.
Stanton, A. J.
Stevenson, J. C.
Stewart, J.
Swanston, A.
Taylor, P. A.
Tennant, R.
Thwaites, D.
Torrens, W. T. M'C.
Tracy, hon. F. S. A. Hanbury-
Trevelyan, G. O.
Villiers, rt. hon. C. P.
Waddy, S. D.
Walker, O. O.
Walter, J.
Watkin, Sir E. W.
Whitworth, B.
Williams, B. T.
Williams, W.
Wilson, C.
Yeaman, J.

TELLERS.
Peel, A. W.
Rylands, P.

Main Question put, and *agreed to.*

Bill read a second time, and *committed* for *To-morrow,* at Two of the clock.

EPPING FOREST (*re-committed*) BILL.

(*Sir Henry Selwin-Ibbetson, Mr. Noel.*)

[BILL 228.] COMMITTEE.

Order for Committee read.

Sir CHARLES W. DILKE said, on the second reading of that Bill, the Government gave a promise to consider the propriety of other interests than those mentioned in the Bill being represented on the Governing Body. He hoped the Government would do what they had promised in that respect.

Mr. SAMUDA expressed the gratitude of the residents of the East End of London at finding the Forest preserved. He suggested that the Parliamentary Representatives from the Tower Hamlets and Hackney should be constituted *ex-officio* Members of the Governing Body, seeing that the Tower Hamlets was the nearest point to the Forest, and that they had a considerable interest in the proper preservation of all the rights conferred by this Bill. The proposal of the hon. Baronet the Member for Chelsea was not an unfair one, and he hoped something would be done in the matter.

Sir HENRY SELWIN-IBBETSON said, that the question had already been considered by the House. He had before pointed out that it would be impossible to place Members of Parliament as *ex-officio* Members of such a Governing Body. And he felt that in having named the City of London—who had already acquired so much of the future open space—he had fixed on those who were entitled to be considered, and who, at the same time, fairly represented the interests of the inhabitants of the Metropolis.

Mr. SHAW LEFEVRE said, he quite agreed with the Secretary to the Treasury that the City of London was entitled to the management of the Forest as the result of the energetic action they had taken to preserve it for the public. But still greater satisfaction would be felt if certain representation was given to other parts in the management of the Forest. As at present provided, the Forest was not to be managed by the Corporation, but by 12 members of its body, and four representatives elected by the inhabitants within the Forest. If two or three Members representing other parts of the Metropolis were put on the Committee, great satisfaction would be given.

Mr. GOSCHEN was sure the Corporation of London deserved the commendation of the House and of all in the Metropolis for the very public spirited way in which they fought out the matter of the Epping Forest. In reply to those who wished to have others than the Corporation associated in the management of the Forest, he would say that the Corporation had found all the funds by which the great effort to save the Forest had been carried to a success. Therefore, he hoped that his hon. Friend would not press forward the matter; because, obviously, it would be exceedingly difficult to find out a scheme which would give satisfaction to other parts of the Metropolis, and which would not, at the same time, lessen that unity of management by the Corporation which they were fairly entitled to after the effort they had made.

MR. RITCHIE did not say the Corporation of London should not have the management of the Forest. On the contrary, he thought great credit was due to the Corporation for what they had done to preserve the Forest. But the money with which they had made that effort was not theirs, but that in which the whole of London was interested. [Mr. GOSCHEN dissented.] The right hon. Gentleman the Member for the City of London (Mr. Goschen) shook his head. Well, the money came from the grain duties, and these duties were levied over a considerably larger area than was governed by the Corporation. That being so, he thought there was very good reason for the appeal which had been made by the hon. Baronet the Member for Chelsea (Sir Charles W. Dilke). He should be glad to vote for any feasible suggestion by which other parts of the Metropolis might be represented on the Committee of Management. But in saying this, he wished it to be understood that he had no want of confidence in the management of the Corporation.

SIR ANDREW LUSK believed the Corporation would manage the Forest very well. If the Representatives of the Tower Hamlets were put on the Committee of Management, why should not Finsbury be equally fairly treated? The Corporation had plenty of money, and it might be depended upon that they would do their work well.

MR. BARING agreed with the hon. Baronet the Member for Finsbury, that there was no reason why, if the Tower Hamlets and Hackney were represented on the Committee, other parts of the Metropolis should not be treated in a like manner. They must either take the Bill as the Government brought it before them, or make very considerable alterations, involving great additions to the number of the Conservators. And

if any Member of Parliament were, *ex officio*, to be added to the Committee of Management, the Representatives of those divisions of Essex in which the Forest was situate would have at least as good a claim as others.

Bill *considered* in Committee.

(In the Committee.)

Clauses 1 to 12, inclusive, *agreed to.*

Clause 13 (Ascertainment of and composition for minor rights).

MR. SHAW LEFEVRE moved to leave out paragraph (1) as follows:—

> "There is hereby referred to the arbitrator the question whether there exists in the manor and parish of Loughton in Epping Forest any and what rights in or over the waste lands of the Forest, not specified in the First or Second Schedule to this Act, and what persons or classes of persons or bodies are entitled thereto."

The Amendment, he said, had reference to a matter which he brought before the House at some length on the second reading of the Bill. He would shortly state the object of his Amendment. Certain inhabitants of the Forest from time immemorial had exercised the custom of cutting trees during the winter months in the manor of Loughton. The Bill proposed that the validity of the right should be determined by an arbitrator, and if he determined that the right was a valid one, certain compensation should be awarded. That was rather hard upon the inhabitants, who had already been subject to large expenses at law in endeavouring to prove their right. They had litigation before the late Master of the Rolls, who said the right could be established by law if proved by custom. Then the question came before the Epping Forest Commissioners, who found that, as a matter of fact, this right did exist from time immemorial. That being so, and seeing the expense to which the people had already been put, he thought it would be very hard that they should now be called on to carry on more expensive litigation before an arbitrator, and perhaps run the chance of the case being determined against them. He knew there were certain technical difficulties in respect to this alleged right; but they were not there to discuss the Bill from a strictly legal view. The technical difficulty was to show that the inhabitants of the forest ever had any grant, such as they claimed, from the Crown.

There was no direct evidence of such a grant; but custom, from time immemorial, could be proved, and lawyers of eminence said that was sufficient. As to compensation, he did not think it would be right to compensate for the rights thus taken possession of by money; and he thought the best course to pursue would be for the Bill to acknowledge the right and leave it to an arbitrator to say what compensation should be given. If that were not done, great dissatisfaction would be created and great hardships would exist.

SIR HENRY SELWIN-IBBETSON said, he could not accept the Amendment, which the hon. Member said he moved because the right was established by custom. Let them look at the history of this so-called right. No doubt, a charter was granted by Queen Elizabeth; but when the case came before the present Master of the Rolls, he decided that, as no charter was in existence, there was no such right as was claimed, and he dismissed the claim. Surely, the legal knowledge of the Epping Forest Commissioners could not be set up against that of the Master of the Rolls? Consequently, what was now asked by the hon. Member for Reading (Mr. Shaw Lefevre) was that, by the Bill now before the House, they should establish a right which had been held by a Legal Court not to exist. What was the real fact of the case? Why, that this custom, or whatever it was called, was not enforced or used by the inhabitants of the district themselves, but really used by a lot of roughs who came into the district. What was claimed now was not a right for the benefit of the inhabitants, but for anyone who liked to go to the Forest.

Amendment *negatived*.

MR. SHAW LEFEVRE moved, in paragraph (2), to leave out the words "any of the rights so found by the arbitrator."

MR. BARING, as one who had lived in the neighbourhood of the Forest for many years, denied that there would be any feeling of irritation among the inhabitants if the Amendment were not adopted. The fact was, that the Amendment of the hon. Member mistook the whole question. Certainly, there was a right on the part of certain inhabitants of the manor of Loughton as of other manors in the Forest to cut wood at certain times within the several manors. But to claim it for the whole of the inhabitants of the village of Loughton was an absurdity.

MR. SHAW LEFEVRE said, the right was not claimed within every manor in the Forest, but for those of the Loughton manor, and that the right did exist was best shown by the fact that the Epping Forest Commissioners had admitted it. In answer to the hon. Member who had last spoken, and who said no dissatisfaction would exist even if the Amendment were not carried, he might say that great dissatisfaction was expressed in many letters he had received. He was interested in the matter, because it was really this alleged right to cut wood that saved the Forest. When 1,200 acres were inclosed by a lord of the manor, it was a working man who prevented that occupation being agreed to by filing a bill in Chancery. Assisted by his neighbours and others—among the latter being himself (Mr. Shaw Lefevre)—he prevented the land from being so inclosed, and therefore saved the Forest, which would otherwise have been lost to the public. He (Mr. Shaw Lefevre) had been anxious to maintain this right as it had existed from time immemorial. Lord Romilly had stated that, in his opinion, that right could be maintained at law. The noble and learned Lord said it was a claim by way of an ancient grant from the Crown, and if it were shown that the grant existed and had been lost, then evidence of custom would be sufficient to secure the point. The Secretary to the Treasury had referred to the decision of the present Master of the Rolls; but when it was carefully looked into, it would be seen that that decision did not touch the main points. In the case before the Master of the Rolls one individual sought redress, and he did not appear on behalf of the whole of the inhabitants. It was clear that a single person could not set up such a right, and his case being dismissed, no doubt, threw some doubt upon the whole validity of the right. But when the judgment of Sir George Jessel was carefully looked into, it would be seen that he did not decide that which should be decided—namely, the rights of the whole inhabitants, and not of a single person.

Colonel MAKINS said, if the hon. Member for Reading were right, no doubt the arbitrator would deal with it. The best plan was to leave it to the arbitrator.

Sir HENRY SELWIN-IBBETSON opposed the Amendment, on the ground that it would strike out of the Bill the object it had in view.

Amendment *negatived.*

Clause *agreed to.*

Clauses 14 to 28, inclusive, *agreed to.*

Clause 29 (Verderers of the Forest).

Mr. SHAW LEFEVRE moved an Amendment, to the effect that instead of the verderers holding office for seven years as proposed by the Bill, the time should be altered to four years.

Sir HENRY SELWIN-IBBETSON defended the clause, on the ground that it was purposely framed to give the verderers a lengthy period of office, so as to enable them to become thoroughly acquainted with their duties.

Amendment *negatived.*

Mr. SHAW LEFEVRE had the following Schedule on the Paper :—

> "The right of the inhabitants of the manor and parish of Loughton, from the hour of twelve o'clock at night on the eleventh day of November in every year until the same hour on the twenty-third day of April in every succeeding year, to cut or lop, under the name of 'lopwood,' the boughs and branches of the trees growing upon the waste lands of the said Forest within the precincts of the said manor (except on the parts thereof called Monk's Wood, containing together ninety-eight acres thirteen perches, which lie on the north-west of the said parish, and the pasture called the Loughton piece, containing seven acres, three roods, and thirty perches, which lies at the extreme west of the said parish), in such manner as not to destroy or unnecessarily injure the said trees, for the proper use and consumption of the said inhabitants as fuel within the said manor and parish."

The CHAIRMAN said, it was not competent for the hon. Member to propose the Schedule, as his Amendments, on which it depended, had been negatived.

Bill *reported,* without Amendment; to be read the third time *To-morrow,* at Two of the clock.

TRAMWAYS (IRELAND) ACTS AMENDMENT BILL—[Bill 47.]

(*Mr. Collins, the Marquess of Hamilton, Mr. Shaw, Mr. William Wilson.*)

COMMITTEE.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

Mr. VERNER objected to Committee being taken on a measure which proposed very material changes in the present law, at so late an hour.

Mr. J. LOWTHER said, as the Bill raised an important issue it had better be postponed.

Committee *deferred* till *Thursday.*

PUBLIC HEALTH ACT (1875) AMENDMENT BILL—[Bill 230.]

LORDS' AMENDMENTS CONSIDERED.

Mr. DILLWYN questioned whether the Amendments had been printed, and therefore protested against their being proceeded with.

Mr. A. H. BROWN said, the Amendments were ordered to be printed on the 26th of June. He moved that the Lords' Amendments be agreed to.

Mr. GRAY said, this was another instance of piecemeal legislation, which involved so much trouble and difficulty as time went on. Either the Bill was a good one or not. If it was a good measure, its provisions might at once be extended to Ireland. Yet what was the case? In the present Session a Bill had been passed to assimilate the law in Ireland to what it was in England two or three years ago. He supposed two or three years hence the Irish Bill would be amended in the same way as it was now proposed to amend the English Act. Therefore, important legislation was delayed, although it might, if the House chose, be carried out at once so as to avoid such delay.

Lords' Amendments *agreed to.*

ECCLESIASTICAL BUILDINGS (FIRE INSURANCE) (*re-committed*) BILL—[Bill 231.]

(*Mr. Leighton, Mr. Goldney, Mr. Whitwell.*)

COMMITTEE.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."—(*Mr. Leighton.*)

MR. DILLWYN objected to the Committee proceeding at such an hour, and consequently moved that the debate be now adjourned.

MR. MONK reminded the hon. Member who had charge of the Bill (Mr. Leighton), that it was altogether contrary to Parliamentary practice to consider a Bill until the Report of the Committee to whom it had been referred was in the hands of hon. Members. A considerable amount of evidence was taken by that Committee, which had been sitting for upwards of three months, and there had not yet been time to print the Report and deliver it to hon. Members. Therefore, as a matter of Order, he did not think the Bill, which was only amended by the Select Committeee on the previous Friday and delivered on Monday, could be now considered.

EARL PERCY did not know that it was out of Order for the House to go into Committee on the Bill simply because the Report of the Committee was not in the hands of hon. Members. But while he did not think it out of Order, it appeared to him to be a very unreasonable time to consider it.

Debate *adjourned* till *Monday* next.

IDIOTS, &c. (IRELAND) BILL.

(*Mr. Arthur Moore, Mr. Meldon, Mr. O'Shaughnessy.*)

[BILL 149.] COMMITTEE.

Bill *considered* in Committee.

(In the Committee.)

Clauses 1 and 2 *agreed to.*

Clause 3 (Guardians may provide for the reception of certain paupers in suitable institutions).

MR. J. LOWTHER moved, in page 1, line 13, after "any," to leave out "parish or."

Amendment *agreed to.*

MR. MACARTNEY moved, in page 1, line 20, after "therein," to add—

"Provided always, That the amount to be paid by such union for the reception, maintenance, and instruction of every such pauper so received in any such hospital or institution shall not exceed the sum of five shillings weekly."

Amendment *agreed to.*

Clause, as amended, *agreed to.*

Clause 4 (Guardians may provide for the reception of pauper idiots, &c., in suitable institutions).

MR. MACARTNEY moved, in page 2, at end of clause, to add—

"Provided always, That the amount to be paid by the guardians of such union for the maintenance of every such idiotic, imbecile, or insane pauper shall not exceed the sum of five shillings weekly."

Amendment *agreed to.*

Clause, as amended, *agreed to.*

Clause 5 *agreed to.*

Clause 6 (Conscience Clause).

MR. MACARTNEY moved, in page 2, line 13, after "unless," to leave out to the end of the clause, and insert—

"With the consent of his or her immediate relatives, and that of the chaplain of that religious denomination to which he or she may belong."

MR. BRIGGS could not understand the Amendment. Supposing there was no chaplain to the denomination to which the idiot belonged, what would happen then?

MAJOR NOLAN said, there was no fear of that. There was always a chaplain in Ireland.

MR. COURTNEY said, he did not understand the Amendment of the hon. Member for Tyrone (Mr. Macartney). Did he mean the chaplain of the denomination in the asylum to which the pauper belonged? Unless that was meant, how would the authorities be able to discover to what denomination the pauper belonged, and who was his chaplain?

MR. MACARTNEY said, there would be no such difficulty likely to arise. The denomination of paupers was always ascertained in Ireland on entry to the workhouse, and idiots were registered as being of the same religion as their parents.

THE O'CONOR DON advised the hon. Member for Tyrone to postpone the Amendment, as he did not think the House at present understood it.

MR. J. LOWTHER supported the suggestion to postpone the Amendment. He certainly had himself placed the same construction upon the words proposed as the hon. Member for Liskeard (Mr. Courtney) had done, but which it now appeared they were not intended to bear.

MR. MACARTNEY agreed to postpone the Amendment until Report.

Clause *agreed to.*

Clause 7 *struck out.*

Bill *reported;* as amended, to be considered upon *Thursday.*

GALTEE ESTATE.

MOTION FOR RETURNS.

MR. GRAY moved for—

"Returns showing the following particulars, in tabular form, with reference to certain tenants on the Galtee Estates of Nathaniel Buckley, Esq. in the counties of Cork, Limerick, and Tipperary, viz.: rent in 1874 and new rent demanded as set forth in the second letter of John Sarsfield Casey, which was the subject of a trial in the Court of Queen's Bench, Dublin, together with any corrections of fact as to the amount of the old or new rent proved at the said trial; the per-centage of increase demanded, and the Poor Law valuations of the tenancies:

"Of the number of Ejectment Processes served in connection with the above tenancies since 1874:

"Copies of the form of Preliminary Notice served upon the tenants demanding an increase of rent:

"Of the Affidavits filed by the tenants on the application for a criminal information against the said John S. Casey:

"Of the Memorial addressed to the Lord Lieutenant praying for the removal of the police tax imposed upon a portion of the district:

"Of the charges of the Judges on the granting of the criminal information, together with Copies of any Reports in respect to the dealings with the tenants on the said estates made by the Police to the Government."

The hon. Gentleman said, there would be no difficulty in the Government obtaining these Returns. The amount of the original rents, and the increased charges subsequently demanded was in evidence, and therefore within the procurement of Government. The ejectment processes and the preliminary notice were put in evidence, and the affidavits filed by the tenants were in possession of the Court. The Memorial addressed to the Lord Lieutenant was in Dublin Castle, and a copy could be obtained. The Judge's Charge could be easily obtained by the Government, and they would have in their possession any of the police reports made as to the dealings with the tenants on the Galtee estate.

MR. J. LOWTHER said, he should be happy to meet the wishes of the hon. Member as far as he could; but it was impossible for him to supply all the information asked for. It would be advisable for the hon. Member to reconsider the matter, and see if he could not confine his Motion to information which could be supplied.

MR. GRAY said, he would withdraw his Motion if the right hon. Gentleman would afford him all the information in his power.

Motion, by leave, *withdrawn.*

House adjourned at half after
Two o'clock.

HOUSE OF LORDS,

Tuesday, 2nd July, 1878.

MINUTES.]—PUBLIC BILLS—*Committee*—Conway Bridge (Composition of Debt) * (111).
Committee — Report — Intermediate Education (Ireland) (132).
Report—Bills of Sale * (80-143).
Third Reading—Public Works Loans (Ireland) Act (1877) Amendment * (137), and *passed.*

INTERMEDIATE EDUCATION (IRELAND) BILL—(No. 132.)

(*The Lord Chancellor.*)

COMMITTEE.

House in Committee (according to Order).

Clauses 1 to 4, inclusive, *agreed to.*

Clause 5 (Functions of Board).

EARL SPENCER said, he would like to ask a Question of the noble and learned Lord who had charge of the Bill—namely, Whether it was intended that the prizes and studentships should be open to competition by women?

THE LORD CHANCELLOR said, the Bill, as at present framed, did not contemplate the application of the scheme to female students. Should Parliament at any time be disposed to extend the system to them, a modification of the rules as to the subjects of examination would be necessary, and provision would have to be made for separate examinations. The financial arrangements would also require enlargement.

Clause *agreed to.*

Clauses 6 to 10, inclusive, *agreed to.*

Schedule of Rules.

Lord ORANMORE and BROWNE said, he had given Notice of an Amendment with the object of including the teachers of National Schools in Ireland amongst those who would be entitled to the results fees; but, after the very courteous and complete manner in which the noble and learned Lord on the Woolsack replied to all the Questions put to him on the second reading of the Bill, he should be very reluctant to press it. He did think, however, that this was a matter of considerable importance, and he should like to state a few reasons why he hoped the noble and learned Lord would re-consider his decision on the subject. By including those teachers, the benefits of the Bill would be very largely extended. The children preparing for the examination would be able, at much less expense, to attend schools near their own houses, whereas the intermediate schools, which, as the Bill stood, would alone be entitled to the fees, would, in all probability, be schools situated in the large towns. The National schools, coming as they did under the National Board, would be certain to comply with the Conscience Clause. There was no doubt, therefore, that the benefit of the Bill would be far more widely extended, if the National schoolmasters were included in this part of the Schedule. Many of the National schoolmasters had already sent up pupils, who had competed successfully in the examinations for the Civil Service. That showed that many of the masters were even now qualified to take advantage of the Bill; and, if his proposal were adopted, many more would qualify themselves. The effect of his Amendment would be to establish a much higher and more contented class of National teachers, their remuneration, and their position being both improved. In Scotland, as the noble and learned Lord was probably aware, schoolmasters of the same class always instructed promising pupils for the higher branches, and he had never heard any complaint that, in so doing, they neglected their duties in regard to the other pupils. The National school teachers had already done very good service, and if they were excluded from the benefits to be derived from results fees, risk would be run of making them a discontented body. Another consideration, which was perhaps not unworthy of attention, was that they had many friends in the other House of Parliament, and it was highly probable that if the boon were not granted, the advocacy of their interests might very considerably delay the progress of the Bill. He ventured to submit to the House, and to the noble and learned Lord, these few reasons why he thought National school teachers should be permitted to earn the results fees which the Bill proposed should be paid to the managers of other schools.

Lord CARLINGFORD would like to ask the noble and learned Lord if it was not the case that, under the rules with respect to the prizes and exhibitions, any person in Ireland might compete, wherever they might have been educated, whether by private tuition, or in a National, model, or any other school?

The LORD CHANCELLOR said, there were two parts of the Bill which were quite distinct from each other—one had reference to exhibitions, the other to examinations. In regard to exhibitions, the noble Lord (Lord Carlingford) had pointed out that pupils might be educated in private and other schools on terms mentioned in the Bill. He must say that he looked upon that part of the Bill as a link between the system of intermediate education and the primary and National schools. He hoped there might be found a large number of the more intelligent of the boys in the primary and National schools availing themselves of the advantages of this measure; but it was quite a different matter when it came to payment by results. He maintained that they could not do a worse thing for primary education than to hold out inducements to the masters of the primary schools to neglect the ordinary rank and file of those schools, in order to give a better education to some boys who might be capable of earning the "result fees."

Lord ORANMORE and BROWNE said, he did not intend to move his Amendment.

Schedule *agreed to.*

Bill *reported*, without Amendment; and to be read 3^a on *Friday* next.

House adjourned at half past Five
o'clock, till Thursday next,
half past Ten o'clock.

HOUSE OF COMMONS,

Tuesday, 2nd July, 1878.

MINUTES.] — Select Committee — *Report* — Local Government and Taxation of Towns (Ireland) [No. 262].

Public Bills—*Ordered—First Reading*—British Museum (Transfer of Collection) * [236]; Parliamentary Elections (Returning Officers' Expenses) (Scotland) * [237].

First Reading—Truro Chapter * [234].

Select Committee—Report—Freshwater Fish Protection [No. 261].

Considered as amended—Roads and Bridges (Scotland) [224], *further proceeding adjourned.*

Third Reading—Entail Amendment (Scotland) * [158], and *passed.*

Lords Amendments considered — Local Government Provisional Orders (Bournemouth, &c.)* [213].

The House met at Two of the clock.

QUESTIONS.

CRIMINAL LAW—CASE OF PHŒBE NEWTON.—QUESTION.

Mr. H. B. SHERIDAN asked the Secretary of State for the Home Department, Whether his attention has been drawn to a case in which Mr. Isaac Spooner, a stipendiary magistrate at Brierley Hill, near Dudley, is alleged to have sent a married woman named Phœbe Newton, age 48, to gaol for six weeks, for having, as was stated, struck a policeman on the arm with her hand; and, whether it is true that the magistrate refused to hear the witnesses for the defence?

Mr. ASSHETON CROSS in reply, said, the magistrate had written to call his attention to this case, and his letter bore out the statement in the Question that the woman did bring forward witnesses who were not called, and sentence was passed. He had thought it his duty, under all the circumstances, to release the woman at once, as she could hardly be considered to have had a fair trial. On behalf of the magistrate, he was bound to say that his statement was that he did not hear the application to produce witnesses; but upon that matter he was in communication with the magistrate, and therefore could say nothing more.

BREACH OF PROMISE OF MARRIAGE. QUESTION.

Mr. MORGAN LLOYD asked the honourable Member for Durham, If he intends to proceed with his Bill for the abolition of the Action for Breach of Promise of Marriage this Session; and, if so, on what day?

Mr. HERSCHELL, in reply, said, he believed the Bill excited considerable interest among many Members of the House, and he was anxious to take a discussion upon it. At the same time, at this period of the Session, his prospects of doing so were not very bright; but he did not see why he should abandon them altogether in despair. He could hardly expect the Government to give him a night, although he should be obliged to them if they could do so. He did not propose to proceed with it that night; but he would put it down for that day fortnight, and take his chance of whatever might turn up.

NAVY—THE BOILER COMMITTEE. QUESTION.

Mr. SHAW LEFEVRE asked the First Lord of the Admiralty, Whether he can state to the House what has been the total cost of the Committee on the Boilers of Ships in Her Majesty's Navy, including pay, printing, experiments, &c.; whether the Committee has concluded its labours; and, whether it is intended to appoint a further Committee of Inquiry, as recommended in their last Report?

Mr. W. H. SMITH: Sir, the approximate cost of the Boiler Committee for the four years they sat was between £16,000 and £17,000. The Committee, in its original form, was dissolved in April last, and a new and less expensive Committee, consisting of Admiralty officials, has been appointed to continue the inquiry, and to conclude the various experiments which have been commenced.

PUBLIC HEALTH (METROPOLIS)—DEATHS FROM SMALL-POX IN LONDON.—QUESTION.

Sir CHARLES W. DILKE asked the President of the Local Government Board, Whether it is true that, during the year ended the 25th of March last, 1,816 deaths from small pox occurred within that portion of the metropolis described as "Lesser London" by the Registrar General; whether such a total number of fatal cases may with approximate accuracy be taken to represent 18,000 attacks of small pox within the same area and during the same period; and, whether the sanitary authorities already possess, under Section 26 of the Act 29 and 30 Vic. c. 90, sufficient powers to enable them adequately to cope with the evil; and, if not, if he has considered whether compulsory registration of infectious diseases might not be tried with advantage?

MR. SCLATER-BOOTH, in reply, said, he believed it was true that 1,816 deaths from small-pox occurred during the year ended March 25, and that number might be taken to represent 18,000 attacks of small-pox. However lamentable that number of deaths, it was nothing in proportion with the last epidemic in the Metropolis. The local authorities had power to apply to a magistrate, on a certificate of a medical officer, for an order for the compulsory removal to hospitals of persons suffering from infectious diseases who had no means of isolation; but that was a power which, of course, only applied to the confined dwellings of the poorer classes. Before a complete control over such diseases on the part of the sanitary authority could be said to exist, several things were necessary, one of the chief of which was the compulsory registration of infectious disease. This was a subject of very great difficulty. Several of the larger towns in the North of England had obtained in their local Acts powers for compulsory registration, and he had caused inquiry to be made as to the result of their experience. That information had not yet been received, except from one town, and there, he must say, the experience was not altogether satisfactory. The tendency of public opinion was, however, in this direction, and he had no doubt that, before long, medical practitioners and private patients would submit to some notification of certain classes of disease being made in all cases to the local authority. He should be glad when he was able to make a proposal in this direction to the House. Before that could be done, however, it would be necessary, in the Metropolis, that more hospital accommodation should be available for the middle classes, who wished for more isolation than they could procure at home, and desired to pay for it. It was to be regretted that the Public Health (Metropolis) Bill of last Session received so much opposition from the Vestries and District Boards—opposition in which the hon. Baronet took part. It was proposed by that Bill to enable the Vestries and District Boards to make arrangements with the Metropolitan Asylums Board which would have put an end to the present anomalous state of things.

ORDERS OF THE DAY.

ROADS AND BRIDGES (SCOTLAND) BILL—[BILL 224.]

(*The Lord Advocate, Mr. Assheton Cross, Sir Henry Selwin Ibbetson.*)

CONSIDERATION AS AMENDED.

Order for Consideration, as amended, read.

Motion made, and Question proposed, "That the Bill be now taken into Consideration."—(*The Lord Advocate.*)

MR. ANDERSON, in moving—

> "That the Bill be referred to a Select Committee, with an Instruction to hear parties on whom exceptional local rates may be imposed by new Clause 88, by themselves, their counsel, or agents, against such exceptional local rates;"

said, that a Petition had been presented on the previous day by his constituents, praying to be heard by counsel before a Select Committee as regarded the new Clause 88, which was introduced into the Bill while the Bill was in Committee. That clause was a totally different clause, and contained a totally different principle, from any which appeared in the Bill before. The Bill, as it was introduced, and as it was discussed on the second reading, contained clear provisions for dealing with all the roads and bridges in Scotland, leaving counties to pay the county debts and to maintain county roads, and leaving burghs to pay their own debts and maintain their own roads. There was a further provision to allow arbitrators in cases of difference of opinion. With the Bill as thus read a second time, his constituents were perfectly satisfied; but while the Bill was in Committee this new clause was introduced by the Lord Advocate, totally abandoning the principle of the Bill, and imposing upon Glasgow an exceptional burden which had been imposed on no other town in Scotland. By the clause, Glasgow had been made to pay a contribution of £10,000 a-year for the maintenance of county roads with which she had nothing to do, and was bound over to pay a large proportion of the county debts of the two counties next to her. There were various counties close to Glasgow, but there were only two in favour of which this special provision had been given—the counties of Lanark and Renfrew. By the provisions of the Bill the City of Glasgow would have to pay about one-half of the whole road debt of the county of Lanark, and about three-fourths of the whole road debt of the county of Renfrew. These, his constituents thought, were provisions so extremely inequitable, that they did all they could to oppose them when the Bill was in Committee. But they found, when they came to argue the matter, that it was impossible to lay the whole of the circumstances before a Committee of the Whole House. They could not produce the maps and accounts that would illustrate the subject. Consequently, the Government had no difficulty in swamping them by their mechanical majority. The votes of the Scotch Members who understood the matter perfectly well were in their favour, and had the thing been decided by their votes they would have thrown out this clause; but the Government, by bringing in English Members who had not heard the debate, and who knew nothing of the merits of the case, swamped and beat the Scotch Members. He maintained that the Government, by using its majority in that way, imposed a great hardship upon Glasgow which they would not have attempted on any English town. They had not dealt in this manner with Edinburgh, Aberdeen, or Dundee, or any of the other great towns of Scotland. The House never heard of any proposition to deal in this way with Manchester, Liverpool, or Birmingham. What would the Representatives of English towns think if they were asked to keep up the county roads? The other day the hon. Member for East Gloucestershire (Mr. J. R. Yorke), on the English Highways Bill, introduced an Amendment in this direction, and the Government themselves opposed it, and, assisted by the Liberal side of the House, beat the Amendment, showing that the Government principle was one thing, and that their practice, as regarded Glasgow, was a totally different thing. He had said what the principle of the Bill originally was, and how the new clause violated it. What he wished to show the House now was, that the new clause was really of the nature of a Private Bill, that it was legislation not for the general country, but for one special locality; and he should prove his case best by referring to the authority to which they all bowed with so much respect—the book published by Sir Erskine May. He said that—

> "Every Bill for the particular interest or benefit of any person or persons is treated, in Parliament, as a Private Bill. Whether it be for the interest of an individual, a public company or corporation, a parish, a city, a county, or other locality; it is equally distinguished from a measure of national import in which the whole community are interested."—[*May*, p. 383.]

Nothing could be stronger than these words. This showed clearly that the legislation which was to affect any particular area or locality was to be dealt with in a private Bill. The only exception was the Metropolis, which claimed to have her Private Bills brought in as Public Bills, and, he believed, they were so brought in. The only excuse he had heard for dealing with this present matter as a public concern was the greatness of the community of Glasgow; but the greatness of the community of Glasgow had never favoured her one bit when she came to this House for any legislation. She was always put to the expense of Private Bills when she had any object to serve, and had never been treated as the Metropolis was. I will now read another extract from Sir Erskine May, whose words ought to have great weight with the House, and the case of Glasgow is made out very clearly by them. He says—

> "In the case of Public Bills for confirming by Provisional Order schemes of Boards or Commissioners in regard to government of towns, construction of bridges, and other matters, it has been customary, when they have been passed by the parties locally interested, to commit such Bills, so far as they related to the places concerned, to a Select Committee, to be appointed by the Committee of Selection in the same manner as in the case of a Private Bill."

If a Provisional Order was applied for in this House, following a decision on any of the general Public Acts, no one who was aggrieved under that Provisional Order was denied the opportunity of protesting and being heard by counsel against the grievance. This privilege was not confined to Provisional Orders, for Sir Erskine May said—

> "The same course has also been adopted in the case of other Public Bills affecting a particular place;"

and that was what he (Mr. Anderson) wished to call particular attention to. It would be impossible to have stronger words than these, or more conclusive evidence as to the practice of the House in dealing with Public Bills in which some particular clause affected some particular place, and did not affect the whole community; but, perhaps, some hon. Member might say that this matter should have been taken up sooner, that it should have been dealt with on the second reading of the Bill, and that it was too late to deal with it now. The reason why it could not have been taken up on the second reading was that the clause did not exist at the time of the second reading. Nor could it be said to be too late to deal with the clause now. Sir Erskine May said—

> "The second reading is the stage at which counsel are more usually heard, whenever the House have agreed that a Public Bill is of so peculiar a character as to justify the hearing of parties whose public or private interests are directly affected by it. . . . . But counsel have also been heard at various other stages of Bills."—[*May*, pp. 278-9.]

Therefore, it could not be contended against his argument, that it was now too late. Again, Sir Erskine May said that it often became necessary to re-commit a Bill to a Committee of the Whole House, and, occasionally, to a Select Committee before it was read a third time, and that—

> "The Bill might be committed for a variety of reasons, and it might be re-committed with respect to a particular clause or Amendment only."

Now, that was exactly the case with this Bill. He wished to re-commit it with respect to one particular clause—Clause 88—and no other. Again, Sir Erskine May said—

> "A Bill may be re-committed as often as the House think fit. . . . . There are cases in which a Bill has been six and even seven times through a Committee of the Whole House."—[*Ibid.* p. 284.]

Sir Erskine May again said—

> "Notwithstanding the facilities for discussion afforded by a Committee of the Whole House, the details of a Bill may often be considered more conveniently by a Select Committee."

That was his (Mr. Anderson's) contention. It was inconvenient to bring arguments or maps before a Committee of the Whole House. He wanted to submit these to a Select Committee upstairs, where counsel could come and explain the maps, and argue the case before unprejudiced minds. Just as an illustration, he had here a map. He could not show this map to the House. He could not explain it in all its details, as it could be explained before a Committee. He wanted to take the map to a table upstairs, where counsel could have an opportunity of explaining it to the Committee, and of showing the absurdity of making Glasgow pay for a debt on county roads 40 or 50 miles away from the city, and with which the city had nothing to do. He wanted to show how Glasgow was made to pay to the county of Renfrew, which barely touched Glasgow at one place, about three-fourths of its debts. He wished to show that the county of Lanark was divided into three wards, and how absurd it was that one part of the county up here should pay for another part down there. The county of Lanark had been divided into three wards for maintaining roads; but, for that one purpose of plundering Glasgow, the county was to be considered as one for the purpose of robbing her of £10,000 or £12,000 a-year in perpetuity. It was vain to convince the House or bring a map of this kind effectively before it; but in a small Committee of unprejudiced men, such a case could be made as could not be resisted against the iniquity of the proposed clause. He supposed it would be contended that, although he proposed the proper and usual course, Parliament had the power to adopt the other course if it chose. He did not dispute the power of Parliament. Parliament was omnipotent; but the question was —Was it judicious that it should have used its powers to inflict an injustice on any locality? Parliament had instituted certain Rules for its own guidance in the conduct of its Business, and these Rules had been adopted especially to prevent Parliament from using its enormous powers in a way which was invidious or oppressive to certain localities. While Parliament had perfect power to go beyond the Rules, he felt satisfied that Parliament would be very unwilling to inflict an injustice. It had, inadvertently, inflicted an injustice the other day upon Glasgow, and he now asked it to appoint a Committee to hear counsel against this infamous and iniquitous clause. He moved that the Bill be re-committed.

Dr. CAMERON seconded the Amendment.

Amendment proposed,

To leave out from the word "be" to the end of the Question, in order to add the words "referred to a Select Committee, with an Instruction to hear parties on whom exceptional local rates may be imposed by new Clause 88, by themselves, their counsel, or agents, against such exceptional local rates,"—(*Mr. Anderson,*)

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

The LORD ADVOCATE said, he could not agree to the Motion which had now been made. The 88th clause, which was under discussion, was not before the House for the first time, because, certainly during the discussion of this measure, or rather a similar measure, last year, both on the second reading and in Committee, in which that measure proceeded so far, it was distinctly intimated and understood that it would be necessary to deal with this question. That steps would be taken with the view of dealing with this question this year was perfectly well known to parties interested, and so early as the beginning of February this year the terms of the proposed clause were made known by the Secretary of State for the Home Department again to all the parties interested, to the counties, and also to those representing the City of Glasgow. Then, in the next place, this new clause was put on the Paper on the 19th of March last, so that its terms were not only in the knowledge of the City of Glasgow, but had been before the House for upwards of three months. Now, certainly, the suggestion which had been made in the Motion by the hon. Member for Glasgow meant practically the shelving of the measure. It was impossible to disguise this. The measure had been fairly fought in Committee. The hon. Member was quite entitled to bring forward the Motion he had made, but the passage he had quoted to the House from Sir Erskine May's work showed that it was entirely within the discretion of the House to decide whether effect should be given to such a Motion. It was sufficient to indicate in the circumstances of the case that it would be an act of discretion to give effect to the Motion. He hoped the measure would be permitted to proceed in the usual course.

Mr. CAMPBELL - BANNERMAN said, he entirely agreed in the desirability of passing this Bill into law; but he did think that his hon. Friend the Member for Glasgow (Mr. Anderson) had made out a very strong case in favour of the course he had suggested. This was a clause quite apart from the rest of the Bill. It singled out one locality in Scotland, and dealt with it in an exceptional manner; and it appeared to him that his hon. Friend had proved that it would be not only a reasonable and just thing and an equitable course for the House to take to allow Glasgow to have an opportunity of stating its case before a Committee upstairs; but that it was the regular course for the House to take according to precedent and according to the Rules. He did not see that they were tied for a moment by Sir Erskine May's book or by precedent. It was a matter for the House; but still the House was guided by what had been usually and regularly done in the past, and this was a case of so exceptional a nature that it was incapable of being fully considered by a Committee of the Whole House. For his own part he would say that when the Bill was in Committee he supported his hon. Friends who opposed this clause, but he did so in rather a negative way. He had given them his vote, but he had imagined that an arrangement had been come to, and though they objected to it, still he presumed there was a certain amount of fairness in it. But since the Bill had been in Committee he had seen a Report by Mr. Smith, the Government Commissioner, upon whose recommendation this clause was founded, and he was bound to say that the Report having been made public proved another instance of the inexpediency of anyone who had given a decision giving the reasons on which he founded that decision, because he had never read a Report which contained so little in the way of argument to justify the conclusion at which it arrived. If Mr. Smith's reasons were those on which the Government proposed this clause, the Government was certainly not strong enough to justify the course which they had taken. Two things had to be proved. In the first place, there was the proof that the roads in the neighbourhood of Glasgow were as much the affair of Glasgow as of the county itself. They had to prove that there was something exceptional in this case calling upon them to deal differently with it from the other portions of Scotland; and having satisfied themselves of that, they had to make out a case for the exact sum to be levied on Glasgow. In this Paper of Mr. Smith's there was no sufficient argument for the one case and no argument whatever for the other. The sum was fixed on the mere *ipse dixit* of Mr. Smith, who said, "I think the sum to be paid by the City of Glasgow should be"—so and so. Now, they ought to know the data, and he was informed that the Corporation of Glasgow had received no data on which the calculation was founded. And yet, on the mere authority of the Commissioner, they were asked to pay this sum of £12,500 a-year. In the only case where the Commissioner condescended to argument at all, he used an argument which surely could not be seriously relied on. He had been astonished to hear certain remarks quoted from this Report when the House was in Committee with the view of showing that the turnpike adjoining the city was more the affair of the city than of the county. The hon. Member for South Lanarkshire (Sir Windham Anstruther), quoting Mr. Smith, said that in a certain period 14 vehicles went over the turnpikes from the city for every one that entered it, and that, on an average, the proportion was three to one. Why, in the course of three or four days the effect of that would be that Glasgow would be emptied of all the vehicles in it. Did the hon. Member mean empty or full vehicles? If there were more full vehicles going out than coming in, then it was obvious that the wants of the people in the country were more extensive than the requirements of the inhabitants of the city. The truth was, that it was the old case of determining which of the portions of the human frame was of the greatest importance. The town was of as great importance to the county as the county was to the town, and he ventured to say that if they established a cordon round Glasgow, it would not be the town which would starve first by the prohibition of traffic, because it had other means of communication. There was, then, no argument in Mr. Smith's Report dealing with this question, and when they went a step further to the amount to be paid, they were not vouchsafed a piece of evidence to justify the charge proposed to be levied. In such a great case as this, he did conceive that the ratepayers of Glasgow had a perfect right to have their case heard upstairs. It was so entirely exceptional, and so entirely outside the provisions of the Bill, that he was sure that he would be absolved from any hostility to the general principles of the Bill, if he supported his hon. Friend's proposal to refer this particular part of it to a Select Committee.

SIR EDWARD COLEBROOKE said, that if the facts were as put forward by his hon. Friend the Member for Glasgow, there would be some reasonable ground for referring the Bill to a Select Committee; but there had been a sufficient inquiry, and Glasgow had an ample opportunity of laying its case before the special Commission appointed to consider and report upon the question. His hon. Friend's demand came forward at much too late a stage of the Bill. It would have been quite competent for the hon. Member to have asked the House a month ago to refer the question to a Select Committee; but the facts had been virtually decided when the Bill was passing through Committee, and it would be quite a new practice on the part of the House, and quite inconsistent with the principle laid down by Sir Erskine May, that the question should be handed over at so late a stage to a Select Committee. His constituents would not feel very much gratified if they were to go back and fight the battle over again by counsel and witnesses before a Select Committee. All the statistics with regard to the hearing of this question in the county of Lanark were fully laid before the Commissioners, and were fairly considered, and, in his opinion, fully established. The question not only bore upon Glasgow, but upon the burgh, which were also contributors with the city. He contended that if the burden of maintaining the roads were thrown upon the poor, the effect would be ruinous. A meeting of the burghs interested in the question had been lately held, at which it was resolved that the course proposed by the Motion of the hon. Member for Glasgow (Mr. Anderson) was objectionable, and ought to be opposed for the following reasons:—

> "That the question at issue had already extended over a lengthened period; that the Town Council of Glasgow, and other parties interested in it, had had an opportunity, of which they had availed themselves, of fully stating their views to the Commissioner (Mr. Smith), on whose recommendation Clause 88 was proposed; that the Inquiry suggested would not throw any additional light upon the subject; that the recommendation now made had given more general satisfaction than any other scheme hitherto suggested; that it would be inexpedient in the public interest to keep the matter longer in suspense; and that the proposed Inquiry would necessarily be a protracted one, and one which would be attended with great expense."

Mr. MACDONALD: What are the names of the burghs that passed that resolution?

Sir EDWARD COLEBROOKE said, the burghs included those of Partick, Hillhead, Govan, Crosshill, and Maryhill. The question now brought before the House ought to have been raised at an earlier stage of the Bill. He only desired to make one further remark, and that was with reference to the claim which had been put forward on a previous occasion by the hon. Member for Edinburgh (Mr. M'Laren) on this subject. He had had an opportunity of referring to the evidence taken by the Commission to which allusion had been made, and he found that at that time this particular question had never been fairly raised, except by one witness. The Motion at that time was, that there should be the option of paying the expenses of the roads by a tax upon horses. That was the leading idea of the late Lord Belhaven, and of various authorities associated with him. But the Commissioners came to a different decision. They threw over that recommendation, and said they would go upon rental. A Bill was brought in in consequence of that, and then it was that the Town Council took alarm. The Bill was referred to a Select Committee, evidence was heard on behalf of Renfrewshire, and he himself presented a Memorial signed by persons connected with the Lower Ward of Lanarkshire, showing the injustice which would be done to the county also. What was the result? The result was that the counties of Lanark and Renfrew were left out of the Bill. Former Governments would not face the difficulties of the question, and after that the subject had not again been mooted in Parliament for a period of 20 years. After all this, he did not think that his hon. Friend had any right to come forward and ask for this Commission. The question of taxation for the maintenance of roads in the suburban districts of Glasgow had long ago been fully discussed. It had been taken in hand either by counties or Committees or by Commissions, and after all those years it seemed to him that the present Bill, having reached the stage at which it had arrived, should not now be thrown back.

Dr. CAMERON said, that the hon. Baronet who had just spoken had told the House that the case before it had been under the consideration of various Commissioners and Committees. Those for whom he spoke quite agreed with that, but that was exactly what they complained of. They complained that after the case of Glasgow, Renfrewshire, and Lanarkshire had been under the consideration of repeated Committees and Commissioners, the decision, which was most hostile to Glasgow, should have been selected as the decision to be embodied in the present Bill. What they said was, that an elaborate Commission had been appointed on the subject, and the Commissioners, taking a wide and extensive view of the whole question, based upon experience and inquiry over the entire county, came to a decision with which he and others were quite satisfied. Mr. Smith went down to Glasgow, and after an Inquiry, which was altogether circumscribed as contrasted with that of the Royal Commission to which he referred, came to another decision; and what they complained of was, that the decision of Mr. Smith should have been accepted as against the decision of the Royal Commission. They contended that there were special circumstances in the case of Glasgow, Renfrew, and Lanarkshire, and in that they were backed up by the Report of the

Commission itself. His hon. Friend (Sir Edward Colebrooke) maintained that those were special cases. It was impossible to argue out that question in the House. They could not now go into details, and they could not go into figures; they could not bring witnesses to support this association or that; and he thought that here primarily arose the necessity of referring the whole matter to a Select Committee. He should not bring forward arguments to show that this clause partook of the nature of a Private Bill. He did not think it was necessary to do that, although he believed there could be good grounds shown in support of the argument that the clause dealt with private interests; but between a Bill dealing with private interests and a Public Bill there was another description of Bill still, and that was a Hybrid Bill—a Bill which affected public and private interests also, and it was the invariable practice, in dealing with such a Bill, to refer it to a Select Committee, who took evidence upon it. The Lord Advocate had stated his great objection to this proposal to be that it would have the effect of shelving the measure. He did not think it need have any such effect. There was nothing in the world to prevent the Government from omitting this particular clause and going on with the Bill, and afterwards introducing the clause as a new Bill, and referring it to a Select Committee. The General Act would not come into operation for a number of years, and long before that Parliament would have decided whether or not Glasgow, Lanarkshire, and Renfrewshire would be specially dealt with. The hon. Baronet (Sir Edward Colebrooke) had admitted the reasonableness of the proposal for an inquiry.

SIR EDWARD COLEBROOKE: No, I do not, and did not.

DR. CAMERON said, he thought the hon. Baronet had done so a few minutes ago; but he could not tell now whether the hon. Baronet really did so or not.

SIR EDWARD COLEBROOKE said, his statement was that the subject had been inquired into in previous years, and that there was no occasion for a further inquiry now. His argument was exactly contrary to that of the hon. Member for Glasgow.

DR. CAMERON said, the hon. Baronet had gone on to state that the burghs around Glasgow were perfectly satisfied with the arrangement which had been come to; but he desired to point out to the hon. Baronet and to the House, that those burghs were not responsible for the county debt, that they had no debt of their own to pay, but that those for whom he spoke had a debt of their own to pay, and had to pay half of that of the counties as well. The hon. Baronet had mentioned the names of the burghs that deprecated a reference of the question to a Select Committee, and he mentioned amongst others the burgh of Hillhead. He was sorry that he should be obliged to refer to these details in arguing the case; but that only showed the necessity which there was for referring the subject to a properly appointed Select Committee. The case of Hillhead was quite exceptional. There was a bridge across the Kelvin, and every inhabitant of Hillhead suffered heavily from tolls, and would, of course, be willing to escape from their payment if it was at all possible. Then as to the case of Maryhill, the hon. Baronet had an Amendment on the Paper, the effect of which would be to give that burgh a present of some £5,000, which, under the Glasgow clause, would have to come out of the pocket of that city. That, at all events, was the view which his constituents took of the matter. They held that the ground taken up by Mr. Smith was altogether fallacious. Mr. Smith proceeded in this way. He saw that Glasgow was prosperous, and that it had been honest in paying up every farthing of its debts; but he also saw that the county trusts were in a state of insolvency; and, instead of having regard to the efforts which Glasgow must have made to pay off her debt and keep herself in a position of independence, Mr. Smith took no cognizance of past events, but said—"I find you prosperous, I find the counties insolvent, and therefore you must come to their assistance and pay one-half of their debt." He should have great pleasure in supporting his hon. Colleague if he went to a division.

COLONEL MURE said, he was sorry again to trouble the House with the case of Renfrewshire. The hon. Member for Glasgow (Mr. Anderson), in the beginning of the discussion, had taken up the old ground of financial difficulty between Glasgow and Renfrewshire; but towards the end of his speech the hon. Gentleman had entered into what he considered a great Constitutional question. If the contention of the hon. Member held good, however, that the clause relating to Glasgow was in the nature of a Private Bill, the same contention must hold good with regard to a good many other places which were dealt with in a special manner in the measure. But it had been decided over and over again that Renfrewshire should be dealt with in an exceptional way. It had been decided by Select Committees upstairs, and it had also been decided in the body of the House, that the case of that county and the case of Lanarkshire also were exceptional cases amongst the counties of Scotland, and that therefore they ought to be dealt with in an exceptional manner. He hoped the Government would recollect that those who were opposed to the abolition of tolls, in so far as Bills for that purpose had hitherto been brought before the House, had withdrawn their opposition to the present measure, on the understanding that clauses favourable to Lanarkshire and Renfrewshire would be introduced into the Bill. He thought, therefore, that the Government were under, he would not say a personal, but a moral pledge, not to give way on that point. It had always been the boast of their friends in Glasgow that the county of Renfrew derived enormous benefit from its proximity to that city; but, notwithstanding its proximity to Glasgow, it would not be found that the rental of Renfrewshire was larger in proportion to the agricultural value of the land than that of many other counties in Scotland which did not possess the supposed advantage of being similarly situated.

Colonel ALEXANDER said, that as he intended to take an exceptional course with regard to the Amendment of the hon. Member for Glasgow, he thought it only right to state shortly what that course was, and his reasons for taking it. He did not intend to vote at all. Everyone knew that he had strongly objected to this Bill; but having opposed it on the Question that the Speaker should leave the Chair, and that the House should go into Committee on the measure, and having found himself in a miserable minority of 5, he thought the time had arrived when all further opposition on his part should cease; and, therefore, as he had said, he did not intend to vote at all. At the same time, the Bill would inflict so great an injustice on the county which he represented, that he would not lift his little finger in its support. With reference to the observations which had fallen from the hon. and gallant Member (Colonel Mure), he thought that those remarks simply went to show the inequitable way in which the Bill would work. The hon. and gallant Member had stated that there were clauses in the measure, or parts of the measure, which exempted several counties from its operation; but if it were necessary to do that with regard to Lanarkshire, Renfrewshire, Dumbartonshire, and the other places, it only proved how inequitable the Bill was, and how badly its provisions would work. With regard to the dispute between Lanarkshire, Renfrewshire, and Glasgow, he believed that if the hon. Gentlemen who represented the former counties had from the first opposed the Bill, it would never have been passed. If the hon. Member for Glasgow also had strenuously opposed the abolition of tolls from the very first, he would not now have complained of what he must admit to be very exceptional treatment towards the city which he represented. This was only a question of degree, and there was no more reason why Glasgow should be treated exceptionally than Edinburgh or any large town in Scotland.

Mr. M'LAREN said, he should not have uttered a word upon the Motion before the House but for the remarks of the hon. Baronet (Sir Edward Colebrooke), who had referred to the Report of the Royal Commission on this subject as requiring to be set aside because the county of Lanark was favourable to imposing a tax upon horses. It seemed to him the hon. Baronet supposed that the Commissioners had not examined that mode of raising the revenue, but those gentlemen did so. They took a great deal of evidence on the subject, and they published in an appendix useful and interesting tables showing what would be the rate, if all imposed on horses; and also, supposing one-half of the burden to be borne by those animals, and the other half to be borne by the rates; and showing, also, how the different kinds of horses might be classified. In short, the whole matter had been thoroughly considered. But his point was this—that whether the rating was to be horses or no horses, the Commissioners separated the burghs from the counties. If there were to be a tax upon horses, those horses within burghs were to be assessed for the burghs, and the horses within the counties were to be assessed for the counties. It seemed to be argued that an inquiry had already been made by the Government Commissioner equal in effect to that which would be made in the case of burghs applying for a Provisional Order. In that respect he thought that his hon. Friend was entirely mistaken. On application for such an Order, the Bill provided that the Home Secretary should direct local inquiry to be made, and that there should be 14 days' notice given of that inquiry—which meant that it was to be a public inquiry. Then the Home Secretary might arrange a Provisional Order to his own taste; but that Order would have to come before the House of Commons, and if it were opposed by any Member of the House, it would go to a Committee, the same as any other Private Bill. Hence the clause which declared that the Home Secretary should decide in what manner the expenses consequent upon such an Order should be paid, and which implied that no such Order should be passed merely as framed at the Home Office.

MR. ASSHETON CROSS said, he would not dispute the proposition that there were points embraced in this clause which might, under certain circumstances, be fairly argued before a Committee upstairs; and, no doubt, there were precedents without number for the course which had been taken in the present case. But he desired to remind the House of what had really occurred so far as dates were concerned, and in this matter dates appeared to be of considerable importance. In the first place, so far as the inquiry of Mr. Smith was concerned, that gentleman went down to Glasgow, and on the spot he consulted and examined everybody whom the Town Council wished to have brought before him. Mr. Smith, in short, examined all persons connected with roads in and about Glasgow, and his Report was made known to all parties concerned by himself (Mr. Assheton Cross) on the 15th of February. He did not think he was inaccessible to any Members of the House. If hon. Gentlemen told him at any time that they wished to see him upon any public matter, he was always at their service. He knew that communications had taken place between his right hon. and learned Friend the Lord Advocate on this question; but until Friday last no one connected with Glasgow or the neighbourhood had ever made a single application to him on the subject. He next came to the Government clauses which were placed upon the Table on the 19th of March. That was a long time ago, and it was only on the 8th of April that the hon. Member for Glasgow (Mr. Anderson) put his Amendment upon the Paper in regard to this matter; and those Amendments were rather important, because they simply altered the sum to be paid to £100,000 as a whole, instead of £10,000 a-year. Well, then, on the 27th of May another Amendment was brought forward, and it was not until the Bill had been read a second time, had passed through Committee, and was approaching the stage of Consideration on Report, that the slightest suggestion had been made by anyone connected with Glasgow that the question should be referred to a Select Committee upstairs. In these circumstances, he thought it was evident that there had been a *laches* on the part of the hon. Members for Glasgow. Had those hon. Gentlemen come to him on the 15th of February or 19th of March and said—"Do you not think that this is a fair subject for consideration by a Select Committee?" he did not mean to say that they would not have had a fair case to have been heard. Now they had reached the 2nd of July, and if the Bill were to become law this Session—and he believed it was the desire of Scotland generally that it should become law—every day was important. There was an Amendment in the statute-labour question which was certainly in favour of Glasgow, and there were clauses by the hon. Member for Glasgow which would also be under consideration; and, bearing in mind the expressions which were made use of when this Bill was in Committee, if Glasgow had reason to complain of injustice, they should have come to Parliament before this time to see that no injustice took place. Let them now consider the Bill as amended, and do not let them take a course which would have the effect of casting the measure from its place, and, if the division were successful, would defeat the object in view. Let them wait until they came to the 88th clause.

Mr. ANDERSON said, he did not at all agree that it would shelve the Bill or endanger the Bill, and as the thing could be disposed of in a few days, he must go to a division.

Mr. RAMSAY maintained that the proposal made by the hon. Member for Glasgow was in accordance with the principle of the Bill itself. The principle of the Bill was that for each county or district the road assessment should be levied and expended on the roads within that county or district. Who could say that an assessment of £10,000 on Glasgow for maintaining county roads was in accordance with that principle. There were other places where the Bill dealt with private interests unfairly. It was wholly unjustifiable to saddle Glasgow with £10,000. Renfrewshire was in a position somewhat similar to Argyllshire; but Renfrew had all her roads maintained cheaper than Argyll. When he mentioned that the charge for maintaining all the turnpike and statute labour roads in Renfrew came to less than 6*d*. in the pound on the annual valuation of that county, the House would agree that the roads could not usually be maintained in an agricultural district at less. This would be shown by the fact that the valuation of Renfrewshire was about £640,000 per annum, irrespective of the burghs, and 6*d*. a-pound on that would come to £16,000 per annum. The roads in Argyllshire were maintained by a rate of 8*d*. per pound. He could not conceive, therefore, that, in such circumstances, there could be any justification for the rate imposed on Glasgow. He had never seen the Report of the gentleman who was sent down there. He by no means had the slightest thought of impugning his integrity. No doubt, he recommended the Home Secretary that he should deal in this way with the city of Glasgow; but the grounds on which he did so were in his (Mr. Ramsay's) opinion very inadequate to justify such an imposition. He did not feel that anything more was needed than to take the burghs and county of Renfrew combined, when less than 6*d*. in the pound was adequate to maintain the whole of the roads in that county. He would not refer to the debt, because that was a separate thing; but if he took the whole of the two counties, Lanark and Renfrew, with the burghs, including Glasgow, the whole amount expended in maintaining all the roads and streets was £133,303 on the valuation of £6,473,000. A rate of 5*d*. in the pound on that sum produced £134,873, or more than the full amount that was expended on all the roads, including Glasgow. How, then, could they justify the imposition of an assessment of £10,000 for the relief of the ratepayers in a county where the roads at the present moment were kept up at less cost than in counties less favourably situated than this was? The Government would do well to refer this Bill to a Select Committee, because there were other particulars on which parties might be heard, and the question might be settled without injustice to Glasgow or other places where injustice was equally proposed to be done. He might the more readily urge that view, as it could not be assumed by anyone that he had any desire to defeat the Bill or to prevent it becoming law at an early date. The right hon. and learned Gentleman the Lord Advocate had said that to refer this Bill to a Select Committee would be to shelve it for the present Session. Well, he did look upon even that with greater equanimity than he should on any Resolution by the House to perpetrate an injustice of this kind. Anxious as he was to see the tolls abolished, he could not consent to a Bill that would perpetrate such an injustice as this.

Sir GRAHAM MONTGOMERY said, he had no interest in this matter, nor had his constituents; but he had been an interested beholder of the dispute between the city of Glasgow and the county of Lanark. It must be remembered that this dispute had prevented the country of Scotland from having a Road Bill for some years past. If it had not been for this, they would have abolished tolls all over Scotland long ago. The Government sent down a Commissioner to inquire into the case, and this gentleman had made a Report; and it seemed to him (Sir Graham Montgomery) that the city of Glasgow did not object to this gentleman going down; but still they did not seem to be satisfied with his arbitration. If the city of Glasgow was not satisfied with his arbitration, why should not they say that this clause should be struck out altogether, and that the city of Glasgow and the county of Lanark should be dealt with by Provisional Order? They knew that this gentleman had all the parties interested before him. He had the Lord Provost of Glasgow, deputations from the large towns, and deputations representing the county of Lanark; and on that information he came to this decision—that it was fair that the city of Glasgow should pay this sum annually to one division of the county of Lanark, and it did seem to him (Sir Graham Montgomery) too late in the day to upset a decision of this kind by having the matter referred to a Select Committee. If this Amendment should be carried, there could be no doubt that this Bill was done for for the present Session.

MR. J. W. BARCLAY said, he believed they were all anxious to see this Bill become law, but not at the expense of what they must see was a gross injustice to the city of Glasgow. When the Home Secretary got up they hoped that he would give some explanation of the decision at which he had arrived. The right hon. Gentleman must accept the responsibility of it. He would have to bear the weight of what he must call obloquy attending the injustice of the measure. It appeared to him that there was considerable irregularity in the manner of bringing the proposal under the notice of the House. It had not been done in the form of a Provisional Order. It was said that the gentleman who went down acted as umpire between the city of Glasgow and the counties of Lanark and Renfrew; but the people of Glasgow were not aware of that, and simply regarded him as having come down to report to the Home Secretary. There had been no discussion of this clause in that House, and no explanation had been given of the clause. No statement or argument whatever in support of the clause had been brought before the House. It seemed to him that the Home Secretary did not altogether understand the effect of what he had said—imputing laches to the people of Glasgow. It was understood that the Lord Advocate was quite ready to hear any questions in regard to this Bill. He had never declined to accept any representations with regard to this Bill; and though the gentlemen concerned were perfectly aware that the Bill was under the control of the Home Secretary, and that points of difficulty would be referred to him, they did not think it necessary to trouble the Home Secretary in the matter. Therefore, although the Home Secretary might not have been referred to until recently, it was quite understood that the matter had been brought originally under his consideration, and that it was on his responsibility that the people of Glasgow were now saddled with this burden. He was surprised that the Government should resist the appeal of the city of Glasgow to have this question decided before an impartial tribunal. What more could Lanark and Renfrew desire than that the question should be settled before a Committee of the House? Why it was not more energetically opposed, probably was that the people could never believe that the House of Commons would sanction such an exceptional arrangement, unless it was shown that there were some exceptional circumstances which would justify this exceptional legislation; and it had not been shown that such was the case by any arguments which had been addressed to this House.

MR. E. JENKINS remarked, that there was a question before the House which, although it had been alluded to by the senior Member for Glasgow (Mr. Anderson), had not been fully raised, and to which he wished to call attention, and that was, to the Parliamentary aspect of the question. The facts which had been laid before the House that day were certainly facts of a rather startling character, and ought to put every Member of the House on the *qui vive* regarding the course taken by the Government on this particular clause. He did not hesitate to say that this was an attempt to introduce into a public Bill a private Act, and he would call upon the Speaker to vindicate the right of the House to upset such an attempt at evading its Standing Orders. There were two points which he would submit to the consideration of the House. The first was that, in point of fact, this clause was a breach of the Standing Orders of that House, inasmuch as it was the introduction into a public Bill of what was, in fact, a private Act; and, secondly, if that was not decided from the Chair, they had a right to appeal to the House to consider the matter, and to ask if there were no grounds for the claim that had been made, to refer the question to a Select Committee? Let any hon. Member look at the Bill, and read the clause contained in Section 98. The Bill was brought in for establishing certain principles which were laid down in the Bill, and for settling the management of the roads and bridges in Scotland. The principle was, that each county was to assume the burden of its own roads. This general principle being laid down made the Bill practically a public Bill. But when he looked at the Standing Orders, he found that those Orders brought any question affecting tolls within the category of private Bills. The question was, whether this clause did not in an exceptional manner propose to deal with and alter rates and tolls in Glasgow without giving the parties an opportunity of settling the matter between themselves? It was provided by the Bill that the city of Glasgow and the neighbouring burghs should grant and contribute £12,500 a-year towards the maintenance of the roads and bridges in the counties of Lanark and Renfrew. The effect of that clause was practically to make this a private Bill. It was an attempt to carry a private Bill through the House without the ordinary formalities having been proceeded with, without bringing the matter before the House, and having it referred to a Select Committee. It was said that the Government sent down someone to inquire. A Mr. Smith, a not uncommon name, was sent down to inquire. But no representation was made before Mr. Smith on account of the parties interested. He made an *ex parte* representation as between the counties and city of Glasgow, and on that report the right hon. Gentleman the Home Secretary came to an arbitrary decision, which would involve the city of Glasgow in the payment of £12,500 a-year. It might be in accordance with precedent; but it did seem to him that this was a matter which should be referred to a Select Committee. Here was a gentleman sent down to Glasgow, without the parties concerned being properly represented before him, who came to a certain decision, which the Government accepted, and embodied in a clause in an Act of Parliament. He asked the House whether that was in accordance with the spirit of our legislation, whether it was not contrary to the order of proceeding in that House by which such cases were governed? There was a Standing Order that no private Bill should be brought in otherwise than by Petition, signed by the parties or others who were interested in the Bill. He submitted that this clause came, at all events in spirit, within the meaning of that regulation; and, that being so, it appeared to him that the Bill ought to be referred to a Select Committee.

Mr. SPEAKER: The hon. Member for Dundee (Mr. E. Jenkins) having appealed to me on a point of Order, it is right that I should give the House such information as I can on the matter. As the House is aware, the clause which is now under discussion has been agreed to by a Committee of the House, and, strictly speaking, the point of Order should have been raised in Committee, and not in the House. It appears to me that this is a matter entirely for the consideration of the House. There is no obligation on the part of the House, having regard to the Standing Orders, to refer the clause in question to a Select Committee of the House, though it has power to do so. I should state also that it is a common practice to insert in public Bills, in addition to general enactments which govern the whole subject-matter, special provisions, applicable to particular localities, which, if not there inserted, would be proper subjects for private Bills. There are several examples of this kind. The most apposite example I can quote is that of the South Wales Turnpike Trusts, 7 and 8 *Vict.* c. 91, which contains general legislation applicable to several counties, and includes clauses which apply to particular trusts and the respective debts of certain local roads and bridges. It appears to me that that Act of Parliament is very much to the point in the particular case before the House.

Sir GEORGE CAMPBELL said, that if the hon. Member for Glasgow went to a division he would place in an awkward position several of his Friends who took his view of the case, and were ready to support it. To refer the Bill at this stage to a Select Committee would necessarily shelve the Bill. As the hon. Member opposite (Sir Graham Montgomery) had stated, a general Bill had been for years delayed on account of this difference between Glasgow and Lanark, and it seemed to him that it should not again be frustrated by reference to a Select Committee. If the hon. Gentleman wished to raise the question on the merits, he ought to do so when they came to the clause referred to. Although he had listened with a certain amount of attention, he had been unable to arrive at an opinion. They had not seen the Report of Mr. Smith. When they had seen that they might either determine the matter or defer the clause until next year. He would ask his hon. Friend not to proceed to a division, because if he did he should have to vote against him.

Question put.

The House *divided*:—Ayes 123; Noes 81: Majority 42.—(Div. List, No. 191.)

Main Question put, and *agreed to.*

Bill *considered.*

On the Motion of the LORD ADVOCATE, the following clause was inserted after Clause 38:—

(Appointment and powers of joint bridge committee.)

"The following provisions shall have effect as to the appointment, powers, and duties of a joint bridge committee:

"(1.) A joint bridge committee shall be appointed annually at such date as may be agreed on between the road authorities appointing representatives thereon, and each road authority may appoint not more than five persons to be members of such committee;

"(2.) A joint bridge committee shall have power to appoint a chairman, and to appoint and remunerate such officers as shall be necessary for the management of the bridge, such officers, as far as possible, being already officers of the road authorities by whom the committee is appointed;

"(3.) In the event of difference of opinion, the representatives of each road authority shall jointly have one vote, and, if there is an equality of votes, the question shall be referred to a standing arbitrator to be named annually by the committee, or, failing such nomination, by the sheriff of any adjoining county."

MR. BAILLIE HAMILTON, in moving, in page 6, after Clause 7, to insert the following Clause:—

(Provision as to tolls on traffic to and from county where tolls are abolished).

"Where, under the provisions of this Act, tolls have been abolished in any county, but where tolls have not been abolished in any county adjoining thereto (whether such adjoining county be in Scotland or in England), no tolls shall be levied, on or after the first day of June, one thousand eight hundred and eighty-three, in such adjoining county in respect of any traffic passing for a distance not exceeding six miles over any turnpike road therein to or from the county in which tolls shall have been so abolished,"

said, that in bringing forward this clause he intended to say very few words in its defence. Those few words would be amply sufficient to prove that the Bill, without some such alteration as was contained in the clause, would perpetrate a gross injustice upon certain localities as regarded residents on the Scotch side of the Border. He proposed to address himself to the consequences of the Bill to the residents in Berwick, about which he was competent to speak, and the whole thing would be found to be in a nut-shell. Some time ago he had received a letter from 18 Scotch Border farmers, in which they stated that about half of what they contributed to roads was levied at toll-bars in England; that nearly the whole of their corn was sent to railway stations in England; and that there was also a considerable amount of traffic from those stations in coal, lime, feeding cakes, and so on, all of which things had to pay 3½*d.* per cart for English tolls for every mile or half-a-mile, and 3*d.* per cart for Scotch tolls. If, however, they went two miles farther into England to fetch coal, every cart coming from the Northumberland pits had to pay 8½*d.* per cart in England, and 3*d.* per cart in Scotland; and the complaint was, that if the Bill passed without alteration, and no saving clause was inserted, the Scotch Borderers would have to pay for the new road rates an amount exceeding what they at present paid for the English tolls, the Scotch tolls, and the statute labour assessment altogether, and that they would still be saddled with the English tolls in addition. They thought it was only fair that they should have the same free use of the roads on the other side of the Border that their English neighbours had on the Scotch side. He did not want to weary the House with any local details; but in order to prove the hardship that this clause was intended to obviate, he would quote a few figures which, he believed, were as nearly as possible accurate, and, if so, he thought conclusive, as to the necessity of some steps being taken to remedy the injustice complained of. The 18 subscribers to the letter he had mentioned were resident in five different parishes. Their statute labour road assessments for last year amounted to about £109, their Scotch tolls to about £80, and their English tolls to about £157. The rental of those gentlemen amounted to £17,630 per annum, and seven of them were resident in two parishes. The payments of those seven gentlemen made under the Statute Labour Roads Assessment Act amounted last year to £38 17*s.* 4*d.*, the Scotch tolls to about £35, while the English tolls came to £66 10*s.* Again, there were 18 tenant farmers in the parish of Coldstream, whose statute labour roads assessment amounted to £71 14*s.* 9*d.*, the Scotch tolls to about £35, and the English tolls to no less than £105. Now, whilst he brought forward only a limited number of Scotch tenant farmers, he need hardly say that the number might be enormously increased and the figures greatly augmented; but he thought he had said enough to prove that, if in the Scotch Border counties the tolls were to be compulsorily abolished and general road rates substituted, whilst on the English side the tolls were permitted to exist as hitherto, upon those whose traffic was principally directed to the side of England, it would constitute a grievance for which he was justly entitled to ask for a remedy. He was, of course, aware that as the action of the Bill was confined to Scotland, the terms of the clause might be considered as inadmissible; but if such were the case, he thought the right hon. and learned Gentleman who had charge of the Bill was bound, before it became compulsory, to make some provision against the hardship and the gross injustice which would otherwise be inflicted upon those whose case he had endeavoured to lay before the House. He might say that in one place—namely, in Greenlaw, the Road Trust capital extended over half-a-mile into England, beyond Coldstream Bridge, and that bit of road was largely used without payment by those who lived upon the English side. He could only add that if any assurance were given that the existing local turnpike Acts would not be continued in Northumberland beyond the day on which the Bill became compulsory in Scotland, all the necessity for his clause would be at an end. He hoped that the right hon. and learned Gentleman (the Lord Advocate) or some other Member of the Government would be able to give them some assurance that these turnpike Acts would cease upon the Bill becoming compulsory, and that those for whom he spoke would not be subjected to the very great hardship he had described. The hon. Member concluded by moving the insertion of the clause of which he had given Notice.

Clause,—(*Mr. Baillie Hamilton,*)—*brought up,* and read the first time.

Motion made, and Question proposed, "That the said Clause be now read a second time."

CAPTAIN MILNE-HOME, in moving, as an Amendment to Mr. BAILLIE HAMILTON's proposed new Clause after Clause 7, to add—

> "Provided, That this Clause shall not take effect in any county or counties in England adjoining the counties of Berwick or Roxburgh, or either of them, during the term or terms of the Local Turnpike Act or Acts of Parliament now in force in such county or counties in England, nor during such further term or terms for which such Local Turnpike Act or Acts may be continued by authority of Parliament,"

said, that it was not often that a Scotchman had to rise in his place in that House to speak for the rights of England; but that was his case at that moment, because if this clause, without some Amendment like that of which he had given Notice, was passed, it would do a very great injustice indeed to the road trusts in that part of Northumberland with which the constituency he had the honour to represent was most intimately connected. As to the terms of the clause, he had no fault to find with them, because it was fair enough that if tolls were abolished in any county, those who lived on the confines of that county should be free when they passed over the boundary into another county where, though not abolished, they were terminable, provided there was a reciprocity of benefit to those who dwelt in the next county where the tolls had not been done away with. Now, that was the case in that part of Northumberland for which he was there to plead? It was quite true, as his hon. Friend had stated, that those who lived on the north bank of the Tweed——

MR. SPEAKER interposed, stating that the Question had not been put that the clause be read a second time.

Question put, and *negatived.*

MR. GRANT, in moving, in page 8, after Clause 11, to insert the following clauses:—

(With respect to certain roads within the burgh of Leith.)

"With respect to the roads and streets within the burgh of Leith at present under the management of the City of Edinburgh Road Trust or paving board of the city of Edinburgh, videlicet: Leith Walk from Pilrig Street and including Pilrig Street to Duke Street, the street called Duke Street from the foot of Leith Walk to Easter Road, and the road known as Easter Road, all so far as within the Parliamentary boundaries of Leith; the said roads and streets before becoming vested under this Act in the local authority of the burgh of Leith, shall be put by the said trust or paving board or other authority having immediately prior to the adoption of this Act the burden of maintaining and upholding of the said roads and streets in as good a state of repair as the other portions in the district known as the middle or Edinburgh district of roads, and that to the satisfaction of the surveyor of the City of Edinburgh Road Trust or other authority, and the surveyor of paving of the burgh of Leith; and, in the event of their differing, by a surveyor to be nominated by the sheriff of the county of Edinburgh, on the application of either party."

(With respect to roads at present maintained under special obligation.)

"Provided always, That when any trust, board, corporation, or person is under special obligation to maintain and uphold any roads, streets, bridges, or highways, at the time of the adoption of this Act, the said roads, bridges, highways, or streets, shall be put in such condition by such trust, board, corporation, or person as shall be considered reasonable and proper by a surveyor to be appointed for that purpose by the sheriff of the county, on the application of any person interested before becoming vested under this Act in the said trustees or local authority,"

said, he begged to state that he did not propose to move the second part of the Amendment, which referred to the general question of the state in which roads should be handed over under the Bill. His desire was to submit the local question as the simple issue to the House for its decision. He was aware that to go into the general question might lead to wider discussion and to complications which he wished to avoid on that occasion. In speaking of the Amendment, he wished to state to the House that he was fully alive to the necessity and importance of concessions being made by all parties for the general good if the Bill were to pass into law. But, at the same time, he thought that the House would agree with him that it was not the intention of the Bill, and that it ought not to be its intention, to permit one set of parties to perpetrate an act of injustice upon another set of parties by the side-wind, as it were, of the measure, especially when the smaller and weaker party had on more than one occasion successfully resisted that act of injustice in this Imperial Parliament before the Bill was proposed, when the question between the two parties had been the main issue under discussion. Now, he would trouble the House for a few moments with some remarks upon the history of the long dispute between the people of Edinburgh and Leith. So far back as 1809 a trust was appointed under an Act of Parliament—49 *Geo.* III.—to look after the upholding and maintenance of the Leith Walk roads, and instruction was given to them to accumulate a capital fund out of the interest of which those roads were to be afterwards supported. That capital fund, which was fixed at £4,000, was subsequently found to be far less than sufficient for the purpose for which it was to be used, and by an Act—3 *Geo.* IV.—it was provided that the capital fund should be increased to £8,000, the interest from which capital accumulation was to be devoted towards the maintenance of those roads, and to no other purpose whatever. By Act 5 and 6 *Will.* IV., c. 68, that capital fund having been accumulated, the old Leith Walk Trust was merged in the Middle District Trust, and the toll of the Leith Walk, from which that capital had been collected, was abolished. The Leith Walk Trust made over to the Middle District Trust at that time all the monies in its possession, and the Middle District Trust acquired all the then duties of the Leith Walk Trust, and all its obligations and its undertakings. The money that was made over consisted of £7,000, and that sum was afterwards augmented by a further transfer of £2,000. The debt that the Middle District Trust undertook amounted to only £400. One of the engagements which the Middle District undertook was to the effect that the interest of that capital sum was to be devoted towards the maintenance of those Leith Walk roads, and to no other purpose whatever. One of the undertakings was the general maintenance of the whole of the Leith Walk roads. Well, later on, in 1846, an Act was passed—the 9 & 10 *Vict.* c. 125—in order to provide for the maintenance by the burgh of Leith of all the roads within the burgh with certain exceptions, and one of those exceptions was the portion of the Leith Walk roads which lay within the Middle District Trust. A strong attempt was made to have that portion of those roads which was within the town of Leith transferred as a burden upon the town of Leith; but the Leith people successfully resisted the attempt, and it was specially provided in the Act of 1846 that the whole burden of maintaining those roads, both within Leith and Edinburgh, was to remain on the shoulders of the Middle District Trust, the reason of that probably being that the Middle District Trust had received a pecuniary consideration from the Leith Walk Trust, when they had taken over the roads, no part of which they proposed to transfer to Leith under the proposed arrangement. In the same year another Act was passed for altering the constitution of the Middle District Trust, and for other purposes, and again the Middle District Trust, afterwards the Edinburgh Road Trust, made a strong endeavour to transfer that portion of the Leith Walk roads within the burgh of Leith to the shoulders of the Leith people. But that attempt was again frustrated, and again a special provision was put into the Bill enacting that the burden of sustaining the whole of those roads should remain upon the shoulders of the Middle District Trust. Coming down to the year 1874, in that year a Bill was promoted by the Edinburgh Road Trust for the purpose of abolishing tolls and other matters. Again a strenuous attempt was made by Edinburgh to place upon Leith the burden of those roads. But the burgh of Leith objected to this, on the ground that the lower part of those roads had been left by the Middle District Trust in a neglected and dilapidated state; but they said that they would take over the roads provided either that they were put into a proper state of repair, or that a sufficient sum of money was given to Leith to have it done for themselves. The whole question was thoroughly sifted and gone into by a Committee of that House which sat upstairs. Witnesses were examined at great length, and he believed his hon. Friend the senior Member for Edinburgh (Mr. M'Laren) was examined on that occasion. Counsel were heard on both sides, and the whole question was carefully sifted and gone into, with the result that the Committee unanimously came to the following decision:—

> "That the Leith Walk roads, so far as they were included within the boundaries of Leith, should be handed over to the burgh of Leith in as good a state of repair as the other portions situated in the Middle District Trust."

Now, that was the unanimous decision of a Committee sitting upstairs, with the whole details and particulars of the case before them. It was true it might be said that the Bill never passed into law; but, on the whole, he thought that the House would not hold that that fact detracted from the value of the Report of the Committee with the whole case before them. Now, that was the history of the case, and the position in which it now stood. What, then, were the reasons which should lead the House to support the Amendment of which he had given Notice? The first reason was, that if the Bill were allowed to pass without the Amendment, the House would be allowing the deliberate and repeated opinion of the Imperial Parliament, given when the question was before them as a main issue under discussion, to be overruled; and, again, a second reason was, that if the House allowed the Bill to pass without his Amendment, it would be giving its sanction to a very cruel piece of injustice. For, how did the case stand? When the Middle District Trust took over the roads they received with them a large capital sum of money, the interest of which was to be devoted to the maintenance of these roads, and to no other purpose whatever. If the interest was to be devoted to such a purpose, the capital surely must remain intact. Instead of that, however, they had chosen to pay that capital sum, or, at all events, the greater portion of it for other purposes; and in so doing they clearly contravened the Act of Parliament. Of course, if the burden of maintaining the whole of these roads were to remain permanently upon the Edinburgh Road Trustees, this misappropriation of the capital sum would not matter, because they would have to find the money for the repair of them from some other sources. But that was not what the Edinburgh Road Trustees desired. They wished to be relieved from half the burden which they undertook when they received the money, without transferring along with the burden any portion of the capital sum. That was objected to, not unreasonably, by those people who were contributors to the capital sum to a large extent, and who said—"You have given us over the burden of repairing half these roads, therefore hand us over a proportionate amount of the capital sum which you received when you originally took over the burden you ask us to share with you." The Leith people, however, were inclined to be generous in the matter. They knew that the money had been spent, and they did not insist that it should be replaced. They desired, however, that the fact should be taken into consideration in weighing their demands which they did insist on. This matter had been a great grievance to his constituents, and was one on which they had long felt exceedingly sore, and in regard to which they were of opinion that they had been most ungenerously and unfairly treated by the Edinburgh authorities. The Edinburgh Road Trust, under statutory provisions, were bound to maintain the roads in question; and, of course, as far as could be reasonably expected, they were bound to keep the whole of them in a good condition. But the charge which he made against the Edinburgh Road Trust was, that ever since they first conceived the idea, years ago, of keeping up only half of those roads, they had wilfully and systematically and unfairly neglected that portion of the roads which they expected some day and at some fitting opportunity to hand over to the burgh of Leith, and which under this Bill they would so hand over unless the House prevented them doing so. When he said that the Edinburgh Trust had wilfully starved the lower portion of the roads, he did not make an assertion which he could not prove. The fact was, that when the whole question came under the consideration of the Committee in 1874, it was satisfactorily shown to them that what he had stated was really the state of the case, and the proof that it was so was the unanimous decision which they arrived at. He did not assert that the whole of these roads were in a bad condition, for that was not the case; but he did say, that while the upper portion of the roads was in a reasonably good state of repair, and, indeed, in a very good condition, the lower portion of roads was in a disgracefully bad state. Therefore, the simple act of justice his constituents now asked for was that the lower portion should be placed in the same condition as the upper portion. Before the Committee which sat in 1874 the Clerk to the Edinburgh Road Trust was examined, and stated frankly and openly enough that the condition of the two halves of those roads was entirely different, and that the lower part was in a bad state of repair. Not only so, but as a further proof, when he was asked as to the apportionment of the money laid out on the two portions of the roads—which were of equal length—between 1859 and 1873, he stated that the sum laid out on the upper portion of the roads, which under this Bill was to remain in the hands of the Edinburgh authorities, amounted to £18,600, while the money laid out on the lower part, which Edinburgh now wished to hand over to Leith, amounted only to £3,100. Those figures, if they stood alone, proved how one portion of the roads had been most unfairly starved, whilst there had been an over amount of money spent on the upper part, and he did not see that that state of things had in any way altered for the better since 1873. He knew that the municipality of Leith was continually remonstrating with the Edinburgh authorities as to the manner in which they maintained the roads, but no redress whatever was obtained. As to this matter, however, he was able to add more. He had personal experience in passing over the roads. At the recent Election he lived in Edinburgh, and had frequent occasion to pass over the roads, and he took particular notice of their condition. He could bear witness to the truth of the statement that the lower portion of the roads was in a very disgraceful state, while the upper portion was very well maintained. With his eyes shut, he could easily tell by the bumping when the boundary between the burghs had been reached. A story was told, that on one occasion his Predecessor in the representation of Leith, in his capacity of colonel of a Volunteer regiment, was marching his men up the lower portion of these roads, and that in doing so he lost his bugler in one of the many holes that existed. Though that might be an exaggeration, it was no exaggeration to say that the Edinburgh municipality did nothing more than was absolutely necessary for keeping them free from liability in the case of accidents. As he understood that he should not have an opportunity of addressing the House again in regard to this clause, he would ask the indulgence of the House for a few moments while he took into consideration the arguments that might be raised on the other side. He saw that his hon. friend the Member for Edinburgh was armed with the Report of the Royal Commission which sat in 1859, and no doubt he would state to the House some of the views which had been laid before the Commission. He would endeavour to show that the sum of money handed over to the Middle District Trustees was not £8,000 or £9,000, but only some £2,000 odd. But how would he show that? Why, he would say that the Edinburgh Road Trustees had employed some £6,000 of the money—the capital sum which had been received by the Middle District Trustees — and had appropriated it to paying off the debt on another concern altogether. Of course, the Edinburgh Road Trustees could show that the money had been so applied; but even if they were able to establish the fact by their books, it would not disprove the misapplication of the money which had been placed in their hands for a different purpose. Then the hon. Member would endeavour to show that large sums of money had been laid out in the maintenance and the repair of these roads as a whole; but he thought that he (Mr. Grant) had demonstrated that it was not upon the lower portion of the roads that the money had been spent, but that the Edinburgh Trust had maintained one portion in a state of good repair at the expense of the other part. Then, again, it might be pointed out that the burgh of Leith had been drawing money in the shape of road assessment from the houses and premises along the line of these roads, and that they had been contributing nothing to their up-keep; and while he acknowledged that the burgh of Leith had been drawing money from police rates, it was a very small sum, and had been more than made up to Edinburgh by the causeway mail that Edinburgh had levied on Leith Walk. That the causeway mail was a burden to Leith was acknowledged in the statement of the city of Edinburgh, wherein they said that its abolition would be a benefit to the inhabitants of Leith. Again, it might be said that there were a great many new streets being opened up in the Leith quarter, and that the Leith people would draw a large revenue from them. He begged to state that those were only new erections which were only just now becoming available for rating, and that the whole additional revenue to Leith would be required to meet the expenses now imposed on Leith under this Bill. Then, perhaps, it might be denied that the lower portion of those roads was out of repair, or in such a state as he had described. He had, he thought, brought forward evidence enough to convince any unprejudiced mind that the lower portion of the roads was in a bad state. But if it was denied, he should ask why that determined opposition to his Amendment? If the roads were in a fair condition no expense would be incurred by the Edinburgh Road Trustees, and therefore his Amendment would place no additional burden on them. If, on the other hand, it was as he stated, then the two portions of the roads should be made alike, and the surveyors to be appointed would see that this was done. Then the hon. Member might say that the people of Edinburgh had no funds wherewith to execute the repairs he (Mr. Grant) had proposed. As to that, all he could say was that it was not his part to suggest where the money was to come from; but he was not aware that the powers of the Trust had been taken from them by which they could levy rates upon the people of Edinburgh for the maintenance of the roads. He was aware of the fact that the Trust had within a very short time voted a sum of £5,000 for improvements in Princes Street; and he did think that their unperformed duty in connection with the Leith Walk roads constituted even a more pressing obligation. In placing before the House the case of the burgh of Leith, he had shown that for many years past the Edinburgh Road Trustees had been endeavouring to get rid of the obligation of repairing the lower roads, without performing their duty with respect to them; that they had received a large sum of money for the purpose of repairing these roads without expending it in the execution of those repairs; and if the House allowed the Bill to pass without inserting the Amendment he now proposed, they would allow the Edinburgh Road Trustees to reap the benefit of their culpable *laches* in the matter. He appealed to the House for its support; and he asked them to do justice between the two parties. This was an exceptional case, and it should be treated exceptionally, because it in no way affected the general question relating to the condition in which highways were to be handed over under this Bill. He asked the House to confirm the decision which had been arrived at by the Committee of 1874, who had the whole case before them, his Amendment being exactly in the terms of that decision. He trusted the House would not allow a grievous injustice to be done in the matter, and would not allow the influence of the strong to override the interests of the weak. He begged to propose the insertion of the clause of which he had given Notice.

Clause,—(*Mr. Grant,*)—*brought up*, and read the first time.

Motion made, and Question proposed, "That the said Clause be now read a second time."

MR. M'LAREN said, his hon. Friend (Mr. Grant) had made a most gallant defence for his constituency in the matter; but if all who had Amendments to move on the Bill were to take up as much time as he had done, the result would be that they should have to go on discussing the measure for another week. If the House would permit him he thought he should be able to show, in one-tenth part of the time his hon. Friend had occupied, that the statements which had been made could not be proved. It was true that the city of Edinburgh, by an Act of Parliament, was bound to maintain certain roads in Leith, and the county of Edinburgh was bound to maintain about 12 miles of roads in the city of Edinburgh. If it was true, as his hon. Friend had said, that the Edinburgh Road Trustees were bound to put the Leith roads into an equally good condition with the upper ones, it would be equally incumbent on the county trustees to put their 12 miles within the city in first-rate order. But the Bill was not intended to do anything of the kind, or to place such an obligation upon that body. All it did was to hand over all the lower roads to the local burgh authorities in Leith, and, in the same way, to hand over the county roads to the city authorities as they now were. He would not enter into details; but would merely state that, so far from the sum of £10,000 having come into the hands of the Middle District, as stated by his hon. Friend, the statement was a myth. The matter was examined by the Royal Commission in 1859, and the evidence was that the Act under which they worked contained two clauses, one of which referred to the roads in question, and the debts and obligations were mixed up with the Leith Walk Trust, and the Calton Road Trusts. The Blue Books showed that all that was left over was £2,570; and he had the authority of the Clerk to the City Trustees for saying that since 1874 £1,600 had been laid out in improving and supporting those roads, within the burgh of Leith, and that they were now in a very good state of repair. In all the districts under their control the road money had been raised by the authority of the burgh of Leith, while not a shilling had been expended by that body in the repair of the roads in question; the whole of the money having been applied to other purposes, while the ratepayers of Edinburgh had been unduly burdened by being saddled with the cost of repairing and maintaining the roads of the district referred to. The House would perceive that the annual interest on the sum of £2,570, which had been received by the Middle District Trustees, only amounted to something like £100 per annum; while the average annual expenditure of the Edinburgh Road Trustees upon the lower portion of these roads during the last four years amounted to over £400. They had, therefore, been expending, in the maintenance and repair of these roads, four times as much as they received. The fact was, that there could be no stronger case brought forward to show what an injustice had been done to Edinburgh than by bringing forward the present arrangements. He was unwilling to occupy the attention of the House longer, otherwise he was in a position to enter into details which would show overwhelmingly the correctness of the statement he had made, and the soundness of the views which the Edinburgh Road Trustees had taken on the question. He, however, was quite content to take his stand on this principle—that if the county of Edinburgh was willing to put the dozen miles of roads which were to be handed over to Edinburgh in a perfect state of repair, the Edinburgh City Trust would be willing to put the two-and-a-half miles of roads which were to be transferred to the Leith burgh local authority in an equally good condition.

THE LORD ADVOCATE said, he rose on that occasion merely to indicate his own opinion. It was proposed by this new clause to deal exceptionally with the Edinburgh Road Trust, and he did not think any case had been made out in the matter. If the hon. Gentleman the Member for Leith (Mr. Grant) pressed his Amendments, he (the Lord Advocate) should certainly follow the hon. Member for Edinburgh into the Lobby.

Question put, and *negatived.*

On the Motion of Mr. M'LAREN, the following Clause was inserted after Clause 46 :—

(Transfer of undertaking of city of Edinburgh Road Trust to Corporation of the city.—Property vested.—Deeds, &c., to be valid.—Officers.)

"From and after the second Monday of December one thousand eight hundred and seventy-eight, the sections of 'The Edinburgh Roads and Streets Act, 1862,' from four to twenty-two, both inclusive, and from seventy-nine to eighty-six, both inclusive, shall be, and the same are, hereby repealed, and the body of trustees thereby constituted under the name and description of 'The City of Edinburgh Road Trust' shall thereon cease to exist; and from and after the said date the whole powers and authorities of every kind vested in the trustees under the said Act, or conferred on them by or under authority of any other Act of Parliament, shall be, and the same are, hereby transferred to and vested in the Town Council of the city of Edinburgh, who shall thenceforward, as part of the ordinary business of the town council, and according to the rules by which the conduct of such business is regulated, including the mode of estimating expenditure, and of keeping, making up, auditing, certifying and publishing of accounts, exercise the whole powers and authorities of the said road trust, and perform the whole duties and obligations, and fulfil all contracts incumbent on the said trust; and in construing the said Act, and any other Act in which the said road trustees are named, the expression 'the trustees,' or any other expression referring to the said road trustees, shall be read as if the 'Town Council of Edinburgh' had been inserted instead thereof. And the whole lands, houses, assessments, duties, claims, demands, rights, properties, and effects of every kind, heritable or movable, belonging to or vested in or leviable or exigible by the said road trust, or any person on their behalf, under and in virtue of the said Roads and Streets Act (but subject to any liabilities to which the same are legally liable), shall, from and after the aforesaid date, become vested in and belong to and be leviable and exigible by the Town Council of Edinburgh, for the purposes of the said Act, as fully and effectually to all intents and purposes as if the same had been formally and particularly conveyed to and vested in them, with full power, right, and authority to the Town Council of Edinburgh to levy, adjudge, sue for, and recover the same. And all bonds, obligations, assignments, leases, grants, conveyances, or other deeds or securities legally made or granted to or by the said road trust or any person under authority of the said Act shall be good, valid, and effectual to all intents and purposes; and all debts contracted and all lawful contracts entered into by the said road trust or any person on their behalf by virtue of the said Roads and Streets Act, or any other Act, shall remain valid and binding upon the Town Council of Edinburgh under authority of this Act. And it shall be lawful for the Town Council of Edinburgh to continue any of the officers employed by the said road trust or to make such provision for their retirement or otherwise out of the rates under the said 'Edinburgh Roads and Streets Act, 1862,' or this Act, as may be by them considered just and expedient: Provided always, That, notwithstanding the adoption of this Act or its becoming operative within the county of Edinburgh, the provisions of the said 'Edinburgh Roads and Streets Act, 1862,' not hereby specially repealed, shall, in addition to the provisions of this Act and in so far as not inconsistent with this Act, apply and continue to be applicable to the burgh of Edinburgh as if the said burgh were the district defined in the said 'Edinburgh Roads and Streets Act, 1862.'"

On the Motion of Sir HENRY FERGUSON DAVIE, the following Clause was inserted after Clause 88 :—

(Special provision as to the burghs of Haddington, Dunbar, and North Berwick.)

"In the event of this Act being adopted in the county of Haddington, or otherwise coming to have effect therein, the same shall be subject to the following provisions:—

"(1.) The county Road Trustees of the county of Haddington shall manage and maintain the roads, highways, and bridges within the burghs of Haddington, Dunbar, and North Berwick, which the county Road Board of the said county now maintains under the provisions of 'The Haddingtonshire Roads Act, 1863.'

"(2.) The said county Road Trustees shall be entitled to assess and levy the assessments authorized by this Act upon the lands and heritages within those portions of the burghs of Haddington, Dunbar, and North Berwick which are not within the towns of Haddington, Dunbar, and North Berwick, as defined in 'The Haddingtonshire Roads Act, 1863.'"

On the Motion of Mr. FRASER-MACKINTOSH, the following clause was inserted after Clause 94:—

(As to a bridge in Elginshire.)

"The county road trustees of the county of Elgin may, at any annual general meeting called in terms of 'The Elgin and Nairn Roads and Bridges Act, 1863,' resolve forthwith to pay off the balance remaining due of the sum of money borrowed for the purposes of the bridge over the River Findhorn, near Dalvey, and, if they shall so resolve, they shall add the sum required to pay off such balance to the amount required to be raised in the ensuing year for the maintenance, repair, and management of roads, highways, and bridges within the said county, and shall assess therefor accordingly; and, as soon as the said balance has been paid, it shall be deemed that the whole sums of money borrowed for the purposes of the said bridge, and the interest thereon, have been fully paid and extinguished within the meaning of the thirty-seventh section of 'The Elgin and Nairn Roads and Bridges Act, 1863.'"

MR. M'LAREN moved to insert the following new Clause after Clause 96:—

(Saving yearly payment by North British Railway Company to city of Edinburgh.)

"Nothing in this Act contained shall affect or prejudice the right of the Magistrates and Town Council of the city of Edinburgh to the yearly amount of not less than five hundred and twenty-nine pounds eleven shillings and one penny, now payable to them by the North British Railway Company, forming part of the revenues and properties included in the Act first and second Victoria, chapter fifty-five, thereby conveyed in security to the creditors of the said city, and mortgaged to the Public Works Loan Commissioners under authority of the Act thirty-third and thirty-fourth Victoria, chapter eighty-seven, and which sum was agreed to by the Edinburgh and Glasgow Railway Company (now amalgamated with the said North British Railway Company), and secured to the said city by section twenty-seven of 'The Edinburgh and Glasgow Railway and Edinburgh and Glasgow Union Canal Amalgamation Act, 1849.'"

Clause,—(*Mr. M'Laren,*)—*brought up,* and read the first time.

Motion made, and Question proposed, "That the said Clause be now read a second time."

MR. ADAM said, he objected to the clause. He did not wish to follow the hon. Member for Edinburgh (Mr. M'Laren) into the arguments he had brought forward in support of it. All he could say was, that the proposal seemed to be rather an ingenious method by which the city of Edinburgh should eat their cake and have it also. If the clause came into operation the Company would have to pay the sum which it was the object of the clause to secure to the city of Edinburgh, and also the assessment imposed by the Bill. That would be manifestly unfair. The proposition was either to establish causeway mail or not. If it was causeway mail, it was very unjust that it should be continued under the Bill, and that it should be paid by the North British Railway, while they were also assessed. And if it was not causeway mail, the clause was quite unnecessary. He put the hon. Member upon the horns of that dilemma, and left him to select which of them he pleased. He thought he might safely trust to the Government to see that such an injustice should not be done, and, with those few observations, he should leave them to deal with it.

Question put, and *negatived.*

MR. COWAN moved the insertion of the following Clause:—

(Saving as to Leith Harbour.)

"Nothing in this Act contained shall be construed to relieve the Commissioners for the Harbour and Docks of Leith of any statutory obligation incumbent on them in regard to the making, maintenance, or repair of roads, streets, quays, or bridges within the burgh of Leith; and the exemption to which such Commissioners are entitled under the Acts of the eleventh and twelfth Victoria, chapter one hundred and twenty-three, and of the twenty-sixth and twenty-seventh Victoria, chapter sixty, shall remain in force and shall extend and apply to all assessments under this Act."

MR. GRANT said, he felt himself bound, on the part of his constituents, to oppose the clause, the object of which was to exempt the Dock Commissioners of Leith from all assessments to be made under the provisions of this Bill. He maintained that this new clause was either unnecessary or undesirable. If it were intended to preserve to the Dock Commissioners their present exemption, it was unnecessary; and if it were intended to give them a new exemption and a new power, he held it was undesirable to do so, because they had no claim to any new power under this Act. He found that, many years ago, an exemption from police assessment was given to the Dock Commissioners, with the object of encouraging and stimulating the trade of the port, which was then comparatively small and in a languishing state; but he could not find that under that exemption there was any exemption from road assessment. In fact, during several years when the road assessment was collected separately from the police assessment, the Dock Board actually paid road assessment to the burgh of Leith. Under these circumstances, he could not see how his hon. Friend the Member for Edinburgh (Mr. Cowan) could say that the dock property was entirely outside the limits of Leith, and that Leith had really nothing whatever to do with it. It was only when the burgh of Leith adopted the provisions of the General Police and Improvement Act of 1862, and when, consequently, the money for the repair of roads was collected under the police assessment, which was an indivisible rate, that the Dock Board were relieved of their share of contributing towards the repairs of the roads and streets of Leith. If, then, that was the result of a mere accident, and if their exemption from police rate was preserved to them by the Bill, he thought it was very undesirable that any new exemption should be given to them from road assessment under the provisions of this measure. If the Dock Board were to get a new exemption, it was desirable to show that their case and their position warranted such an exemption; but he was not aware that this had been shown by the hon. Member who had proposed this new clause. The right hon. Gentleman the Home Secretary had stated that the great principle of the present Bill was that everyone should contribute towards the maintenance of the roads; and that being so, he thought that if any exemptions were to be made, the right hon. Gentleman would agree with him that very good reason must be shown for them. Had any good reason been shown in this case? He certainly thought not. It could not be denied that the heavy traffic to and from the docks contributed in a great degree to the wear and tear of the streets and roads in the burgh of Leith. It might be said that if this Amendment was not introduced, a privilege which the Dock Board at present enjoyed would be taken away from them. He had already shown that that privilege was the result of an accident in regard to the assessment of roads. If it were shown to be necessary to the trade of the port that such an exemption should be granted, then there might be some ground for the clause that had been proposed. But how stood the case with regard to that? At the time when the exemption from police assessment was first given to Leith the trade of that port was in a very poor state, and the Commissioners were doomed in debt on which they could not pay the interest. But the aspect of things had changed since then. In 1866 the Government remitted to the Dock Board their large debt of £180,000, which was due to them; and owing to large and wise improvements in the dock accommodation, the trade of the place had very largely increased, as the following statistics would show:—In 1877, the gross revenue of the Dock Board of Leith was £82,570. The net revenue was £45,821. The debt for reproductive works was £250,000; and allowing for interest and sinking fund £15,821, there remained a clear surplus of £30,000 a-year. He asked, whether there was any ground for claiming for a Corporation with £30,000 a-year, whose traffic damaged the roads to a great extent, an exemption which should relieve them of the few hundred pounds which they would have to pay as their share of the assessment for the roads? He should only put this further argument to the right hon. and learned Gentleman in charge of the Bill. If this exemption were granted to Leith, for what reason was there no such exemption granted to any other Harbour or Dock Board in Scotland? There were many such Boards all through the country which deserved greater consideration than the case of Leith; and he should be glad to hear from the right hon. and learned Gentleman who had charge of the Bill what were the grounds on which he would grant a new exemption over and above the exemption from the police rate which they at present enjoyed to the Dock Commissioners of Leith?

MR. M'LAREN said, the proposed clause was one of very great importance. That was to say, if his hon. Friend the Member for Leith (Mr. Grant) were to succeed in rejecting it, it would be very detrimental to various interests involved. His hon. Friend had referred to the large debt which formerly existed, and which the Government cancelled. Well, if any advantage was to be given to any party, surely the Government which cancelled the debt should be the party to get the advantage, and not the town of Leith, to which the harbour and docks did not belong. The harbour and docks belonged to the city of Edinburgh till 1838. At that time the Government practically purchased the harbour and docks by giving up a debt of £228,000 which had then been advanced. It took the docks and harbours altogether out of the hands of the Corporation of Edinburgh, and established a new commission, one-half of the members to be elected by the Government, and the other half by the Town Councils of Edinburgh and Leith. From that time the trade of the docks and harbour had increased amazingly, and the Trust had been remarkably well managed. It was then provided by the Acts referred to that the Harbour Trust, being entirely separated from the municipalities of Edinburgh and Leith, should watch and light and clean all its own territory. It had done that from its origin in 1838 up to the present date. The Trust had spent, and was now spending, £4,000 a-year in watching, lighting, cleaning, and paving the roads forming the docks and harbour of Leith, and in paving some contiguous streets leading to the docks; and, in place of asking for some new privilege, as his hon. Friend seemed to think, it merely asked to be let alone. They were liable to the Poor Law assessment, but not to the police assessment, which included the cost of paving the streets of Leith, and the clause proposed merely declared that the Trust should be continued free from liability to this new paving rate. If hon. Members looked at the rental of Leith, they would find that the harbour and docks formed one-fifth of the whole rental. Suppose a rate of 5*d.* in the pound was laid on, 4*d.* would really fall on the inhabitants of Leith. Who would pay the other penny? It would be the inhabitants of Edinburgh, Glasgow, and the surrounding towns; because the trade from the port of Leith, carried on by this public Trust, was not the trade of Leith itself—it was the trade which went from Leith to London, and from Leith to all parts of the Continent. The fact was that it had been one of the most successfully managed Trusts in the United Kingdom; and he asked that it should be left with all its existing burdens, which represented an annual outlay of £4,000 a-year, instead of being mixed up with the town of Leith, which never had any right or title to interfere with its management.

THE LORD ADVOCATE said, that as he had been challenged by the hon. Member for Leith to state if he intended to support the proposed new clause, he could have no difficulty in replying to that challenge upon the footing that he did intend to support the clause. The reason why he did so was this—he was not aware of any harbour authority in Scotland, with the exception of the Leith Dock Commissioners, who were, at this moment, a road authority managing their own roads, and not only managing the roads, but paying for the cleaning, lighting, and watching of them out of the dock rates. Under these circumstances, the question that arose for consideration was whether an authority so existing and so intimately connected in many respects with the roads should be deprived of the management of them, and the maintenance and repair of them given over to others, while they were simply left to watch, clean, and light? One of the main reasons for intrusting burghs with the management of their own roads was this—that they performed this very function which the Commissioners of Leith discharged within their limits, and it humbly appeared to him that that was quite a good reason for dealing with them exceptionally. It was not the case of making them a road authority; it was a question whether they were to be continued in existence as a road authority in regard to roads upon which tolls had been abolished, or rather had never existed.

Clause *agreed to,* and *added* to the Bill.

MR. RAMSAY said, he regretted very much that he should have to occupy the time of the House for a few minutes in stating the reason why he thought it necessary to propose that the Speaker should leave the Chair, with a view to the introduction of the following clause in reference to the transfer of Linlithgow Bridge:—

> "Whereas by an Act of the Parliament of Scotland, passed in the year one thousand six hundred and eighty-five, the magistrates and town council of the royal burgh of Linlithgow were authorised and empowered to impose and levy dues for the purpose of repairing and upholding Linlithgow Bridge, and to apply the surplus 'to any public use for the good and utility of the town,' and such dues have since that time been so levied and applied, and whereas the right of property in the said bridge is vested in the said magistrates and town council, and such bridge is situated partly in the county of Linlithgow and partly in the county of Stirling: Be it enacted, That, on the commencement of this Act, the recited Act of the Parliament of Scotland shall be repealed, and the right of property in Linlithgow Bridge shall thereupon vest in the road trustees of the county of Linlithgow and in the road trustees of the county of Stirling, who shall jointly and rateably, in the proportion of the valuation of these counties respectively, be bound to pay to said magistrates and town council compensation for the loss of the surplus of the aforesaid dues, according as the amount or value of such surplus may be ascertained and determined by arbiters, one of whom shall be appointed by the road trustees of the counties of Linlithgow and Stirling at a joint meeting of said trustees, to be convened for that purpose within three months after the commencement of this Act, and one by the said magistrates and town council; and such arbiters, when so appointed, and before proceeding to consider the questions referred to them, shall elect an oversman, and, failing the appointment of an arbiter by the foresaid road trustees, it shall be competent for the said magistrates and town council to apply to the sheriff of the county of Linlithgow to appoint a person to perform the duty of such arbiters, and the decision of such arbiters, or oversman, or person appointed by the sheriff, shall be final."

The fact was, that the clause which he wished to bring before the whole House in Committee was one which he deemed necessary in order to provide that justice might be done to one of the burghs which he had the honour to represent. In 1681, the Earl of Linlithgow, at that time the proprietor of extensive estates to the west of the town, erected a bridge over the River Avon, and subsequent to its erection the Crown was pleased to grant to the Earl a lease for 19 years, under which he was empowered to levy toll at that bridge, for the purpose of maintaining it and of re-imbursing himself for his outlay. In 1681 the Town Council of Linlithgow negotiated with the Earl for the acquisition of his right under the lease, and they paid him a price for his title. Subsequently, they acquired from his Lordship the right to levy the dues which had been sanctioned by His Majesty. In 1685 the magistrates of the burgh, which had been very much plundered in the time of the Commonwealth, applied to Parliament for the purpose of having their right to levy the toll confirmed and perpetuated by an Act of Parliament; and in consequence of a Petition presented to the Parliament of Scotland in that year their claim was taken into consideration, and Parliament in these terms agreed to the prayer of the same. It was that—

> "His Majesty's High Commissioner and Estates of Parliament, having heard the above written Petition, granted the desire thereof, and perpetuated in all time coming the aforesaid imposition formerly granted, as it is now paid, after the expiration of the aforesaid gift, and that for the sustentation and repair of the said bridge, &c., and to apply the surplus to any public use for the good and utility of the town."

The magistrates, in consequence of the authority they thus got from Parliament, had applied for the good of the town the income which they had derived from that time to the present, a period of nearly 200 years. But he should probably be told by the right hon. and learned Gentleman the Lord Advocate that this did not of itself confer upon them anything beyond the mere right to a sum requisite for the maintenance of the bridge. He could not admit that the right hon. and learned Gentleman was entitled to make any such statement, and for this reason—that the burgh some years ago got into difficulties, and the question of their right to levy these dues came before the Court of Session, and ultimately before the House of Lords, and it was then held that the Parliament of Scotland, by virtue of this Act, did confer upon the magistrates of the burgh what he might call an inalienable Parliamentary provision, for the purpose of enabling them to uphold the dignity of the burgh, and in consideration of those losses they had sustained to which he had referred. Under these circumstances, it appeared to him that the right to levy an impost of this description was not of the nature—as stated by the right hon. and learned Gentleman on a previous occasion—of "customs." It was not of the nature of customs, in his opinion, because customs had been in use and levied in most of the ancient burghs in Scotland, but they were levied on commodities coming within the burgh, or passing through the burgh itself. But this bridge was a mile beyond the western boundary of the burgh—a considerable distance from any part of the area over which the magistrates of the burgh had jurisdiction. He could not conceive, therefore, that it was in any way different from a right in respect of private property; and if the Parliament of Great Britain had conferred upon a private individual the right to levy dues at any bridge in the South of England, and that for 200 years he had been authorized to apply, and had applied, the dues to such private purposes as he saw fit, it could not now be contended that in such a state of matters it would be reasonable on the part of Parliament to deprive that individual of that property without compensation. The right hon. Gentleman the Home Secretary had already agreed to a clause being inserted in the Bill to provide compensation for certain bridges belonging to private individuals; and unless that House was prepared to make a permanent distinction between the right of Corporations in respect of property held privately by them and the property of private individuals, he could not conceive how it would be justified in withholding assent to the clause which he should have to submit if the Motion which he now made was agreed to. But besides this, there was the consideration of the public purposes to which the burgh authorities had applied this fund. Under an Act passed only some six years ago—the Education Act of Scotland—it was provided that the burgh authorities were to pay over to the school board of the burgh such sum as it had been their custom to pay for the support of the burgh school. In accordance with that provision of the law the burgh authorities had been in the habit of paying, since the passing of that Act, £50 annually to the school board. But the right hon. and learned Gentleman proposed to take away this property from the burgh, and he should like to know in what way it was expected that they were to meet the charge upon them? The right of this burgh was singular, and different from the right conferred in other cases; for he had examined the old Scottish Acts of Parliament, by which such rights were conferred in the 17th century, and he had not found a single example of another case in which the burgh authority was authorized to levy dues otherwise than for maintaining and upholding of the bridge. But in this case the language was quite express —that the authorities should have the right "to apply any surplus to any public use for the good and utility of the town." He did not know what Her Majesty's Ministers would say on this subject; but he felt that if they set the example in this way of tampering with the rights of private property, they would be doing that which had not hitherto been done by the British Parliament. He would appeal to the Lord Advocate to agree to the Motion that the Speaker leave the Chair, in order that they might fairly consider on its merits the clause of which he had given Notice.

Motion made, and Question proposed, "That the Bill be committed in respect of a new Clause (Transfer of Linlithgow Bridge)."—(*Mr. Ramsay.*)

THE LORD ADVOCATE said, he could not agree to the proposal of his hon. Friend, for this reason—that he took quite a different view of the rights and interests of the burgh of Linlithgow in this bridge from that which his hon. Friend (Mr. Ramsay) had taken. He should wish to call the attention of the House for one moment to the character of the imposts upon public roads which had been swept away by this Bill. Within a burgh everything was swept away in the shape of an exaction in respect of the use of the roads as a means of passage, and then in the 33rd section of the Bill the same provision was made with regard to public highways, including bridges outside a burgh. Undoubtedly, it was because the exaction in question would be swept away by the 33rd clause of the Bill that his hon. Friend proposed to introduce a new clause. He (the Lord Advocate) took it that the right to levy at a bridge outside the burgh was very much the same thing as the right to levy at the bridge within the burgh; that the right to levy or exact causeway mail or pontages for passing over a bridge in a county was not in the least degree different in character from the right granted by Royal

Charter to a burgh to levy causeway mail within that burgh; because he took it that the ordinary right to levy causeway mail in most of the burghs in Scotland implied no obligation beyond the maintenance of the road, and that any surplus might be, and had long been, applied to "any other purpose." He did not see why they should deal with the one case by sweeping it away, and deal with the other by conserving it because it happened to be beyond the burgh. That seemed to be the proposal here. The terms of the Royal grant were very guarded, and did not suggest that the leading purpose of the Act was to confer a pecuniary benefit upon the burgh itself; and in that very long and protracted litigation to which reference had been made one of the superior Judges, commenting upon the character of the grant, said it was upon the face of it a grant for the purpose of maintaining the bridge. He wished to state the case as fairly as, according to his opinion, it ought to be stated in a legal aspect; and, under these circumstances, he could not admit that there was any substantive distinction between this case and the ordinary causeway mail levied within the burghs, and he did not see that it could be consistently dealt with in this measure otherwise than it was proposed to deal with it in the 33rd section of the Bill.

Question put.

The House *divided*:—Ayes 41; Noes 183: Majority 142.—(Div. List, No. 192).

On the Motion of Mr. J. W. BARCLAY, the following Clauses were *agreed to*, and *added* to the Bill:—

(Provisions for debts contracted under "The Forfarshire Roads Act, 1874.")

"The sums of money borrowed under 'The Forfarshire Roads Act, 1874,' before the commencement of this Act, in the county of Forfar, shall not be included in the list of debts made up under the provisions of this Act, but every sum so borrowed shall (so far as unpaid) be held to be a debt of the particular district or burgh by which the money was borrowed, and shall be a first charge on the assessment levied under this Act, or any other Act or Provisional Order confirmed by Parliament, for the maintenance and repair of the roads, highways, or bridges, within such district or burgh, and the creditors in such debts shall have over such assessment the same rights which creditors under this Act have over the assessment for the payment of debt, and the bonds, mortgage, or other securities in evidence of such debts shall be held to be of the same nature and be dealt with in the same way as the bonds, mortgages, or other securities, as the case may be, granted under this Act; and considering that by 'The Forfarshire Roads Act, 1874,' Kirriemuir is for the management, maintenance, and repair of the roads within it separated from the county of Forfar, Kirriemuir shall for all the purposes of this Act be held to be a burgh."

(Trustees to have power to make bye-laws.)

"The trustees may from time to time make bye-laws for the better regulation of their business or the management of the roads, and to amend or rescind the same, provided that such bye-laws are not contrary to the spirit or intent of this Act and shall have been approved by the sheriff of the county, after their publication in some newspaper circulating in the county at least ten days before the sitting of the sheriff for their consideration."

On the Motion of Mr. YEAMAN, the following clause was *agreed to*, and *added* to the Bill:—

(Savings of Acts transferring roads to local authority of burghs.)

"Nothing in this Act contained shall prejudice or affect any Act by or under which the turnpike roads and statute labour roads, or either of them, within any burgh have been transferred to the local authority of such burgh."

SIR EDWARD COLEBROOKE moved, after Clause 88, to insert the following Clause:—

(Special provision as to Glasgow and Garscube Road.)

"Whereas the turnpike road leading from Glasgow to the Milnford of Garscube, which, with the exception of a portion of the bridge over the River Kelvin at the northern termination thereof, is situate entirely within the burgh of Maryhill, is carried under the Forth and Clyde Navigation by a very low and narrow bridge, and the trustees of that road have accumulated certain funds for the purpose of improving the same by constructing a diversion of the said navigation, and a bridge of ampler dimensions under such diversion, for which improvement powers have already been obtained from Parliament but are about to expire, and it is expedient that the funds accumulated as aforesaid should be applied towards the execution of such improvement: Therefore if within five years after the passing of this Act the powers for executing the said improvement shall be renewed, or new powers for a similar object shall be granted by Parliament, the said funds so far as necessary for the purpose shall be applied in carrying such powers into effect, by the said trustees until the improvement be completed, or until the Acts under which those trustees are constituted cease to be in force, and after those Acts cease to be in force (if the improvement be not then completed, and if the said funds or any part thereof remain then on hand) by the commissioners of police of the burgh of Maryhill, to whom the said trustees shall, upon the said Acts ceasing to be in focre, hand over such funds or the balance thereof then on hand, if any, as the case may be."

Clause (Special provision as to Glasgow and Garscube Road,)—(*Sir Edward Colebrooke,*)—*brought up,* and read the first time.

Motion made, and Question proposed, "That the said Clause be now read a second time."

MR. ANDERSON said, he objected to the clause. By a certain Road Trust Act two different trusts were to pay to Glasgow each a debt of £2,100 in consideration of much expensive work done by Glasgow. One of these paid their debt fairly and honestly, but the other did not, preferring to accumulate the funds and to pay to Glasgow an annual tribute, which was really only the interest on this debt. When the hon. Baronet moved that this accumulated fund should go for a different purpose than paying their debts, they must look at the clause in connection with his other Amendment, which proposed to stop this annual payment of interest. They had been laying burdens on Glasgow in every way, on no other ground than that Glasgow was rich and able to pay. They would be adding insult to injury if they robbed her of this £2,100 also. He hoped the Government would not agree to the proposal of the hon. Baronet.

THE LORD ADVOCATE said, that when this clause was first submitted to the House, he thought from the statement made that the proposal was a very reasonable one; but having recently been made acquainted with the facts stated by the hon. Member for Glasgow, he had changed his views, and he could not give the clause his support.

Question put, and *negatived.*

MR. ERNEST NOEL moved, in clause 3, page 2, line 9, to leave out from "within," to "therein," in line 10. The hon. Member said, the Amendment was intended to remedy the grievance which, he thought, the Government could never have intended by this interpretation to create. A burgh which at the present moment might have 4,500 inhabitants, and which might be growing very fast, might, nevertheless, not be able to have the advantage of the Bill, because three months after its passing its population did not amount to 5,000. He hardly thought the Government intended that a burgh in these circumstances should be excluded from the benefits of this Bill when its inhabitants did exceed 5,000. He hoped the Government would give some consideration to the Amendment, as one of the towns which he represented was fast growing, and in a few years would come under the operation of the Bill. The hon. Member concluded by moving the Amendment.

Amendment proposed, in page 2, to leave out from the word "within," in line 9, to the word "therein," in line 10, inclusive.—(*Mr. Ernest Noel.*)

Question proposed, "That the words proposed to be left out stand part of the Bill."

THE LORD ADVOCATE opposed the Amendment, because it must inevitably introduce complete disorder into the Bill. The Bill was framed on the footing of settling all questions between the burghs and counties at the outset — administrative questions, boundary questions, debt and allocation of debt questions, questions of bridge management, and all others. It was a difficult enough matter drafting a provision which would effect this as between counties and burghs, or rather between counties adopting the Act at different dates, and it would not do to insert a provision in the Bill to unsettle all these arrangements on certain burghs now under 5,000 of population reaching that figure. That must be left to future legislation. It could not be done now without introducing confusion where there was perplexity enough already.

Amendment, by leave, *withdrawn.*

MR. ERNEST NOEL, in moving, in clause 3, page 2, line 10, to leave out "five," and insert "three," said, the reason he moved this second Amendment on Report was this, that when this subject was before the Committee a division was taken upon it, and a considerable majority of the Scotch Members interested in this Bill supported the proposal to reduce the limit of population, as fixed by the Bill, from 5,000 to 3,000, and he pressed this the more on the Government after what had fallen from the Lord Advocate. The right hon. and learned Gentleman had told them that the Bill was framed for the purpose of providing a final settlement of all questions between the burghs and the counties, and that any change that might be necessary should be left for future legislation. Under the present legislation they were never to permit any town to come within the provisions of the Bill if it had not at the moment of the passing of the measure, or within three months thereof, reached the population of 5,000. He saw great force in what the Lord Advocate said about the unfairness of unsettling the arrangement, and yet it was very hard on many of these towns to force them to come again to the House and ask for legislation. He hoped the Lord Advocate would give way on this point, and would grant that which was originally supported by a majority of the Scotch Members. Towns that were already under police management should come within the scope of this Bill. The hon. Member concluded by moving the Amendment.

Amendment proposed, in page 2, to leave out the word "five," and insert the word "three,"—(*Mr. Ernest Noel,*)—instead thereof.

Question proposed, "That the word 'five' stand part of the Bill."

THE LORD ADVOCATE said, he could not agree to the Amendment. This matter was very fully considered by the Committee, and he could only say that wherever they had drawn, as they must, a hard-and-fast line somewhere, a little hardship would arise in some cases. But he ventured to suggest, that in drawing the line at a population of 5,000, there were fewer cases of hardship than there would be if the line were drawn at 3,000.

SIR ALEXANDER GORDON was sorry to hear, from the speech of the Lord Advocate, that the request of his hon. Friend opposite (Mr. E. Noel) was not to be granted. It appeared to him extremely anomalous that the House had just passed an Amendment which gave the town of Kirriemuir a right of being considered a burgh for the purposes of this Bill, although the town of Kirriemuir had not a population of 5,000. He could not see why an advantage should be given to one town in Forfarshire, if it was not to be granted to other burghs in Scotland. There were, besides, no less than 25 Royal burghs with a population under 3,000, and if these 25 burghs were competent to manage their own roads, he did not see why other burghs of a similar population should be refused the like privilege.

MR. ASSHETON CROSS said, the case of Kirriemuir was one where an arrangement had been made between it and the county, and a case where tolls had been abolished.

MR. J. W. BARCLAY said, that the reason why Kirriemuir was excluded from the operation of the Bill was, that under the Forfarshire Road Act of 1874, certain arrangements were made and debts contracted, and therefore a great injustice would have been done by the present general Act unless that town were held to be a burgh, and allowed to carry out the arrangement entered into under the local Act.

MR. ANDERSON said, the Government had not answered the Question as to the Royal burghs with populations under 3,000. The Kirriemuir case was not so strong a case as that of the small Royal burghs. Really, if Royal burghs under 3,000 of population, and which were decreasing in population, were to have this privilege, he did not see why places of 3,000 which were growing rapidly, should not have it. He thought this Amendment ought to be conceded.

Question put, and *agreed to.*

On the Motion of the LORD ADVOCATE, Amendment made, in Clause 3, page 2, line 21, by leaving out the word "therein," and inserting the words "within a parish."

On the Motion of Mr. GRANT, Amendment made, in page 2, line 48, after "pontages," by inserting—"and also any sum payable in respect of any exemption from or relinquishment of tolls."

On the Motion of Mr. R. W. DUFF, Amendment made, in Clause 4—

"Providing that nothing contained in the Act should have the effect of continuing in force the provisions of the Act passed in the 9th and 10th Vic., entitled an Act for the repair of certain roads in the counties of Banff, Aberdeen, and Elgin, after the end of the next Session of Parliament."

On the Motion of the LORD ADVOCATE, the following Amendments were made:—In Clause 3, page 3, line 20, after "trustees," insert "(not being county road trustees);" Clause 6, page 4, line 33, leave out "chairman of the road trustees," and insert "convener;" Clause 7, page 5, line 18, after "adopted," insert "or is in force;" page 5, line 19, after "adopted," insert "or is not in force;" page 5, line 20, after "the," insert "management and maintenance of the;" page 5, line 21, leave out "or bridges;" page 5, line 31, after "adopted," insert "or be in force;" page 5, line 43, leave out from "in" to "bridge," in line 44, both inclusive; page 6, line 1, leave out "or bridge;" page 6, line 5, leave out "or bridge;" Clause 9, page 6, line 33, leave out "the expiration of two years," and insert "any time."

On the Motion of Mr. J. W. BARCLAY, the following words were added at the end of Clause 10:—

"Should the ratepayers fail to elect trustees at the first meeting called by the convener, or at any subsequent meeting called by the county road clerk, the county road clerk shall convene another meeting within six weeks for the purpose of electing trustees as herein provided."

On the Motion of the LORD ADVOCATE, the following Amendments were made:—In Clause 11, page 8, line 20, leave out "roads;" Clause 12, page 9, line 7, after "seal," insert "or;" page 9, line 8, after "assessed," insert "as owners;" page 9, line 10, leave out "as owners;" page 9, line 12, leave out "two," and insert "the following;" page 9, line 16, after "county," insert:—

"That is to say: (a.) Where the number of ratepayers does not exceed five hundred, two persons; (b.) Where the number of ratepayers exceeds five hundred but does not exceed one thousand, three persons; (c.) Where the number of ratepayers exceeds one thousand, four persons;"

page 9, line 17, leave out "one person," and insert "two persons;" page 9, line 17, leave out "an elected trustee," and insert "elected trustees;" page 9, line 25, leave out "provost," and insert "senior;" page 9, lines 26 and 27, leave out "such burgh being a police," and insert "other;" Clause 13, page 9, line 32, after "two," insert "or more;" page 9, line 32, after "number," insert "as the case may be;" page 9, line 41, after "two," insert "or more;" page 10, line 16, at end of Clause, add as new paragraphs—

"If there shall be an equality of votes for two or more persons, the candidate or candidates being the largest ratepayer or ratepayers shall be deemed to be elected.

"Any question as to the number of trustees falling to be elected for any parish, or as to the election of any person as a trustee, may be disposed of summarily by the sheriff, whose decision shall be final;"

Clause 18, page 11, line 34, leave out "roads and;" page 11, line 37, leave out "roads and;" Clause 19, page 12, line 10, after "any," leave out "trustee or," and insert—

"Elected trustee for any parish shall resign (which he may do by any writing under his hand, addressed to the chairman of the trustees), or shall refuse to act, or shall die, or become disqualified, the board, if they think fit, may appoint a person, being a ratepayer of the same parish, to supply his place. If any;"

Clause 22, page 13, line 20, leave out "and subsequent meetings," and insert "meeting;" page 13, line 21, after "board," insert "and the time and place of the subsequent meetings may be fixed by such district committee;" Clause 24, page 14, line 17, leave out "eight," and insert "six;" page 14, line 28, leave out "eight," and insert "six;" page 15, line 5, before "or payment," insert "or allocation;" Clause 28, page 16, line 22, after "agreement," insert "which shall not endure for a longer period than five years;" Clause 33, page 18, line 20, after "conversion," insert "or in lieu;" page 18, line 22, leave out "bridges and;" page 18, line 24, leave out "and bridges."

MR. ERNEST NOEL moved, in Clause 33, page 18, line 27, after "Act," the insertion of the following provision:—

"Provided always, That nothing in this Act contained shall affect any custom or dues although levied on or at any bridge, in so far as such custom or dues shall have been in use, to be applied for other purposes than the repair and maintenance of the bridge, and shall not be of the nature of a toll or causeway mail in the sense of this Act."

He said, he regretted that from illness he had not been able to move this Amendment in Committee. They had heard a great deal of the injustice which some hon. Gentlemen thought would be committed under the Bill; but he thought no case of unfairness would be so great as that which he wished to bring forward. He was quite sure that a Conservative Government could not wish to absolutely take away what was clearly private property. A long time ago a King gave a grant which was afterwards purchased by the town of Dumfries. It was not a right of toll for keeping a bridge in repair, but for the crossing of a river, and this right was granted before any bridge existed. The town of Dumfries bought the right from the monks to whom it belonged, and after that it was confirmed by Parliament, and was afterwards confirmed again in the Law Courts of Scotland. It was not a right of bridge money, but was just the same whether the bridge was used or not. But he feared that this right would be taken away by the Bill. He did not ask the House to change anything in the Bill, or to give causeway mail to Dumfries. He merely asked that a declaration might be made that the Bill should not interfere with any rights that were not in the shape of causeway mail, and that the Government should not be allowed, under the disguise of a road or bridge Bill, to take away the right of the town of Dumfries to which he had referred. Unless his proviso were added to the clause, a large amount of litigation would follow the passing of the present Bill; and he hoped he should be supported by the Committee in his appeal to the Government for the purpose of preventing such legislation.

Amendment proposed,

In page 18, after the word "Act," in line 27, to insert the words "Provided always, That nothing in this Act contained shall affect any custom or dues although levied on or at any bridge, in so far as such custom or dues shall have been in use, to be applied for other purposes than the repair and maintenance of the bridge, and shall not be of the nature of a toll or causeway mail in the sense of this Act."—(*Mr. Ernest Noel.*)

Question proposed, "That those words be there inserted."

Sir GEORGE CAMPBELL said, he was sure the Committee could not have listened to the remarks of the hon. Member for Dumfries (Mr. Ernest Noel) without coming to the conclusion that if any difference existed between the characters of the dues levied at Dumfries and the causeway mail, it was that the former were infinitely more objectionable. From what the hon. Member said, it was clear that in the case of the dues levied at Dumfries there was no *quid pro quo*, as the town was not bound in return for them to perform any service whatever. He hoped the clause as it stood would have the effect of abolishing such tolls; but if there were any doubt about it, he hoped the Lord Advocate would prepare an Amendment by which that doubt should be solved, and all such objectionable tolls absolutely abolished.

The LORD ADVOCATE said, he did not think the proviso of the hon. Member would prevent litigation. The bridge in question was practically one of the main entrances to the burgh. He did not consider it fair to propose an alteration contrary to the spirit of the Act, which abolished causeway mails. He quite agreed with the hon. Member for the Kirkcaldy Burghs (Sir George Campbell) that the proposal was a very objectionable one, and that the character of the causeway mails must be ascertained by reason, and in consideration and respect of which the causeway mail was paid, as well as the use to which it was applied by the burghs. The last part of the proviso appeared to him to be entirely unnecessary, for if these imposts were not in the nature of causeway mail in the sense of the Act they were not abolished. He apprehended that it was possible these bridge dues might partly consist of the payment of petty customs for passage through the burgh. There were many burghs in which a payment was made for cattle going to the market stands with a view to sale. In regard to this, he would direct attention to the Interpretation Clauses, which said that—

"Causeway mail should not include petty customs, or any sum or duty except in so far as they were exacted, payable or leviable in respect of goods, articles, things, or animals passing or carried through such burgh."

Question put, and *negatived*.

Mr. C. S. PARKER asked, whether the Government were quite sure that the Bill would not abolish petty customs?

The LORD ADVOCATE said, there was no clause in the Bill by which petty customs were abolished, except in case of petty customs for passing through the burghs.

SIR GEORGE CAMPBELL regretted that the Bill did not propose to deal with petty customs; because, in his opinion, it was extremely desirable that it should do so.

On the Motion of the LORD ADVOCATE, the following Amendments were made:—In Clause 33, page 18, line 37, leave out "burgh," and insert "burghs;" Clause 34, page 18, line 42, leave out after "which," to "therefrom," inclusive, in page 19, line 2, and insert "causeway mail;" page 19, line 2, leave out "are," and insert "is;" page 19, lines 4 and 5, leave out "customs or sum or duty," and insert "causeway mail;" page 19, lines 7 and 8, leave out "petty customs and sum or duty," and insert "causeway mail;" page 19, line 12, leave out the second "and," and insert "but always;" page 19, lines 15 and 16, leave out "petty customs and of the sum or duty," and insert "causeway mail;" page 19, lines 18 and 19, leave out "petty customs and such sum or duty," and insert "causeway mail;" Clause 35, page 19, line 26, leave out "roads;" page 19, line 27, leave out "and bridges."

On the Motion of Mr. RAMSAY, Amendment made, in Clause 36, page 19, line 35, by inserting after the word "corporation," the words "or the magistrates and town council of any burgh."

On the Motion of the LORD ADVOCATE, the following Amendments were made:—In Clause 36, page 19, line 31, after "shall," insert—

> "As soon as may be after the commencement of this Act in such county or in any of such counties;"

Page 20, line 6, after "highways," insert "free of pontages;" page 20, line 10, at end of Clause, add—

> "For the purposes of this section 'trustees' shall include the commissioners of supply of a county in which this Act has not been adopted or is not in force;"

Clause 37, page 20, line 43, leave out "be allocated upon and;" page 21, line 5, leave out "equally in," and insert "in a committee (hereinafter called a joint bridge committee) to be appointed by;" page 22, line 26, leave out "allocated upon and be;" page 22, line 6, after "charge," insert "equally;" page 22, line 10, leave out from "as nearly," to "respectively," in line 14, both inclusive; page 22, line 16, after "in," insert "a joint committee to be appointed by;" page 22, line 18, leave out after "local" to end of Clause, and insert "authorities chargeable with the cost of maintenance and rebuilding;" Clause 38, page 22, line 25, after "upon," insert "the trustees (whether acting under this Act or not) and local authority or authorities of;" page 22, line 26, at end of Clause, add—

> "The management of such bridge shall, failing agreement, be vested in a joint bridge committee appointed by the trustees or local authorities chargeable with the cost of maintenance and rebuilding."

SIR GEORGE CAMPBELL moved, as an Amendment, in Clause 38, page 22, at end, to add the words—"Unless, on an application of either party to the sheriff, he shall otherwise determine." He was, he said, in the hands of the Lord Advocate as to the necessity for the Amendment; for it had been settled that a bridge which was situated partly in one county and partly in another should be maintained equally by each county. He, however, thought there should be some kind of reference to the sheriff in special cases.

THE LORD ADVOCATE said, he was obliged to the hon. Gentleman for his suggestion, which he would accept.

Amendment *agreed to;* words *inserted* accordingly.

GENERAL SIR GEORGE BALFOUR called the attention of the right hon. and learned Lord Advocate to the fact that a bridge in his county was situated partly in another county, and consequently would come under the jurisdiction of different sheriffs.

THE LORD ADVOCATE promised to bring up a clause to amend the discrepancy.

MR. J. W. BARCLAY moved, as an Amendment, in Clause 39, page 23, line 17, after "included" to insert the words —"a certified copy of the valuation roll of such detached part, or parts."

GENERAL SIR GEORGE BALFOUR hoped the Lord Advocate would have the valuation rolls printed, so that people could get copies of them without much trouble in their respective counties, and at a small cost. The rolls now made out were almost always printed for transmission to the Lord Clerk Register, but only after a lapse of some time.

Amendment *agreed to;* words *inserted* accordingly.

THE LORD ADVOCATE moved, as an Amendment, in Clause 42, page 24, line 13, to leave out after "may," and insert—

> "Resolve that it shall be shut up, but such resolutions shall not take effect until the expiration of six months from the date thereof: Provided always, That thirty days' notice of the intention to propose a resolution to that effect shall be given by advertisement in any newspaper usually circulating in the county in which such road proposed to be shut up is situated, and that upon such resolution being carried, the county road clerk shall give notice of the same by special advertisement and by printed notices affixed to the principal door of each church in every parish in which any part of such road is situated, and also by printed notices affixed during the said six months in some conspicuous place at both ends of such roads.
>
> "The determination of the trustees under the preceding section shall be final, and not subject to review in any court or in any process or proceeding whatsoever, unless any three ratepayers who shall be dissatisfied with such determination shall, within fourteen days after the date thereof, appeal to the sheriff, and the resolution of the trustees under this section shall in like manner be final and not subject to review, unless any three ratepayers who shall be dissatisfied therewith shall, within six months after the date thereof, appeal to the sheriff, and the sheriff shall hear and determine."

MR. M'LAREN observed, that the right hon. and learned Gentleman had formerly promised that the period of objection should be extended to two months. He had expressed his willingness to accept that Amendment; but he observed that the clause only gave 14 days. Unless objection was made within 14 days, there was no redress. He would suggest to the Lord Advocate that the period should be extended to two months.

THE LORD ADVOCATE said, that the hon. Member seemed to be under some misapprehension as to the effect of the Amendment. The time given for the purpose of appealing as to the shutting-up of the road was not six months. The period of 14 days referred to the previous section. Thirty days' notice must be given of the meeting of the Board for the purpose of considering the proposal, and the clause then provided that a resolution, if passed, should not take effect for six months, and during the whole of that time there was an appeal; so that, in point of fact, 14 days' notice of the intention to propose the resolution was requisite, and after it had been passed, six month's appeal was allowed. The hon. Member would observe that the 14 days referred to the preceding section.

MR. M'LAREN said, he was quite satisfied with the explanation of the right hon. and learned Gentleman.

SIR GEORGE CAMPBELL said, there ought to be strong safeguards against any abuse in the case of the shutting-up of the public roads. The hon. Member for Edinburgh (Mr. M'Laren) seemed to be satisfied with what had been done; but he ventured to suggest that the power of appeal should be given to the public, and not to three ratepayers only. In a question of a right of way, it seemed to him that whether a person was a ratepayer or not, he had a right to object to the shutting-up of a public way.

MR. ASSHETON CROSS said, he was willing to have the word "inhabitants" inserted in the place of "ratepayers."

THE LORD ADVOCATE would explain that the word "ratepayers" would remain in the first part of the clause as to the appeal within 14 days; but that "inhabitants" would be inserted with respect to the appeal within six months.

Amendment amended, and *agreed to.*

On the Motion of the LORD ADVOCATE, the following Amendment made, in page 24, line 36, after "sheriff," at end of clause, insert as a new paragraph:—

> "The ground occupied by any road which has been shut up in terms of this section shall fall and belong to the person or persons whose lands immediately adjoin thereto; and from whom, or his or their predecessor or predecessors, the ground so occupied was acquired without payment, and if any question shall arise as to the person or persons to whom such ground should fall and belong, the same shall be disposed of by the sheriff, whose decision shall be final; Provided, That if a price was originally paid for such ground, the trustees shall dispose of the same as nearly as may be in the manner herein provided in regard to toll houses."

SIR GEORGE CAMPBELL, who had given Notice to move, as an Amendment, in Clause 46, page 26, line 2, after "final," to insert—

> "But, in the case of any burgh containing not more than five thousand inhabitants, the terms shall be such that the road assessments in the burgh shall not be higher than those of the adjoining district or districts of the county,"

said, the object he had in view in proposing it had been to some extent met by the Amendment accepted by the Lord Advocate. And unless he obtained some support, it might not be wise to press his Amendment; but he wished to move it because——

And it being ten minutes before Seven of the clock, further Proceeding on Consideration, as amended, stood adjourned till *this day.*

The House suspended its Sitting at Seven of the clock.

The House resumed its Sitting at Nine of the clock.

MOTIONS.

REMOVAL OF PAUPERS.

RESOLUTION.

MR. M'CARTHY DOWNING, in rising to call attention to the anomalous state of the Laws under which the destitute poor receiving relief from the poor's rate are subject to removal in England and Scotland, and by virtue of which destitute poor persons born in Ireland and so relieved are subject to deportation from England and Scotland to Ireland; and to move—

> "That said Laws in their operation inflict many wrongs and cause great sufferings; that they are unjust and impolitic therefore. That, in the opinion of this House, the said Laws ought to be so amended as that every poor person who shall have maintained himself or herself for twelve months by some industrial occupation in any parish, combination of parishes, or union in England, Wales, or Scotland, previously to receiving such relief, shall not be subject to removal therefrom,"

said, he felt that it was unnecessary to enter into the origin of the laws of settlement and the liability of districts to support their own poor, because of their having been so modified by subsequent legislation. He would therefore apply himself to the laws as he now found them and to the evils which still remained. Up to the year 1819 persons subject to removal should have committed an act of vagrancy; they should be proved to be rogues, vagabonds, or vagrants; but by the Act of 59 *Geo.* III., commonly called "Sturges Bourne's Act," powers were for the first time given to remove persons who had become chargeable as destitute poor, from which time vagabondism and poverty had been classed in the same category, and under which, and subsequent Acts amending the same, wrongs and sufferings had been imposed of a character beyond the possible conception or belief of the House. Accounts of them would be found in the evidence given before the Select Committee of 1854, appointed on the Motion of Mr. Baines, the then President of the English Poor Law Board, and in Returns which he (Mr. M'Carthy Downing) obtained by orders of the House in 1871 and 1875. From the year 1846 Parliament had shown a growing tendency to restrict the right of removal. In that year it was provided that no person in England or Wales could be removed from a parish in which he had been resident for five years next before the application for removal. In 1861 the period of three years was substituted for that of five, and "residence in the Union" was substituted for "residence in the parish." In 1865 the period of residence was reduced to one year—mitigations, no doubt, of the evils of the system existing previously, but by no means a solution—for the restriction of removal did not confer a right of settlement or permanent chargeability, and unless residence was kept up, the restriction on removal ceased—that was to say, that although a man might have lived a year in a Union, yet if he went to another, and received relief in it before he had spent 12 months there, he was liable to be sent to some place determined by what remained of the old law of settlement and by the modern laws of removal. But what was the state of the law of chargeability and removal in Scotland? To obtain a settlement there, a person must have resided five years in a parish before seeking relief, and that settlement was lost if, in any subsequent five years, the person did not reside for one year in it; while, in Ireland, there was no law of settlement nor power of removal. They had, therefore, a complete conflict of laws in the United Kingdom, differing to such an extent that it would be thought impossible under a common Imperial Legislature. He (Mr. M'Carthy Downing) would first take the case as it stood between England and Scotland. An English labourer was protected from removal by a year's residence, but let him cross the Border and happen to fall destitute in Scotland, he was deprived of the benefit of the humane improvements in the English law; while the Scotchman who had not obtained even in Scotland a settlement by a five years' residence in a parish, and subsequently resided for 12 months in an English Union, had all the benefits of the English law. There was no law of settlement nor of removal in Ireland, and no law of inter-union chargeability; chargeability was regulated by residence, varied since 1838 by five distinct Acts of Parliament; in some cases, it was four years' residence in an electoral division out of five in the Union; in another, 30 months out of three years. The chargeability arising from birth or marriage was also different. Therefore, he felt that he had established his first proposition as to the anomalous state of the laws. He (Mr. M'Carthy Downing) had from time to time called the attention of Parliament to the many evils resulting from the state of the laws; he did so during the Administration of the right hon. Gentleman the Member for Greenwich (Mr. Gladstone), which led to a conference between the right hon. Gentleman the Member for Halifax (Mr. Stansfeld), then President of the Local Government Board; the President of the Board of Supervision in Scotland, and Sir Alfred Power, Chief Commissioner in Ireland, with the view of considering what remedy might be applied, but from which nothing resulted, in consequence of the break-up of the right hon. Gentleman's Administration. He did so, subsequently, in the discussion on the Union Rating Bill, and upon that occasion the present Secretary of State for the Colonies, then Chief Secretary for Ireland, said—

> "The hon. Member for Cork had referred to another matter well deserving of consideration—the differences which existed between English and Irish law with respect to the removal of paupers. As far as that was concerned, he thought Ireland had fair cause of complaint, and he had been surprised that Irish Members had not brought it under the notice of the House at an earlier period of the Session."

In 1875, he (Mr. M'Carthy Downing) introduced a Bill, with the view of rendering it unlawful for justices in England or Scotland to remove to Ireland any poor person, where such poor person had for 12 months previously to relief being given, maintained himself, or herself, by some industrial occupation, in any parish, combination of parishes, or Union in England, Wales, or Scotland. On the discussion on that Bill, no one ventured to defend the law of removal, and he was glad to be able to say that there was an unanimous expression of opinion from the English Press that he (Mr. M'Carthy Downing) had made an unanswerable case. The right hon. Gentleman the President of the Local Government Board, upon that occasion, after dealing with the measure in the fairest manner, gave a promise—

> "That the whole subject of settlement and removal would receive his attention during the Recess, and that he hoped in the next Session of Parliament to be able to submit proposals which would deal in a comprehensive spirit with the Poor Law of the three Kingdoms."

With that promise he (Mr. M'Carthy Downing) would have been satisfied, and not have taken a division, had he not yielded to the advice of his more ardent Colleagues. The Bill was rejected by a considerable majority; hon. Members who had spoken in favour of the principle in the Bill—notably the right hon. Gentleman the Member for Halifax, and his hon. Friend the Member for Hackney (Mr. Fawcett)—who made important speeches on the occasion—declined to vote. The division, however, under the circumstances should make but little difference; it in no way affected the substantial success which the debate achieved, the system of Irish pauper deportation having been concurrently condemned. He was, however, apprehensive that the right hon. Gentleman the President of the Local Government Board had been influenced by that division, inasmuch as that the right hon. Gentleman had not since introduced the comprehensive measure affecting the three Kingdoms, which he hoped to have done in the Session of 1876. The right hon. Gentleman, however, introduced a Bill "to provide for the better arrangement of divided parishes" in England, in which a clause was introduced—34—by which a person residing for three years in any parish obtained a settlement therein until he should acquire a settlement in some other parish—a most imperfect solution of the question, as the labouring population were constantly forced to migrate from one parish to another, and seldom lived three years continuously in the same parish. A railway or new street ran through a poor quarter of a city filled with labourers' houses; labourers were thrown out of employment by derangement of trade, or other causes, and if they became destitute in the year subsequent, they lost their protection against removal. Had the right hon. Gentleman made a three years' residence in the Union instead of the parish, it would have been of large advantage, but as it was it was almost valueless. He (Mr. M'Carthy Downing), as he anticipated, found that the clause had not in any manner reduced the number of removals. The St. Pancras Union, Middlesex, made more orders of removal than any of the counties of England, and he found in the annual report of the assistant clerk, Mr. Higgins, for the year ending the 31st of December last, 12 months after the passing of the Act, the following statement:—

> "The number of removable persons chargeable to this parish during the preceding 12 months who have gained a settlement, formed of a three years' residence, either wholly, or partly before and partly after the statute of last Session, is but very small, and the returns for future years will, doubtless, prove that the large number of cases originally supposed as being likely to come under such a class—to have gained residential settlements in large towns—will fall far short of the calculations of the most sanguine of those who have agitated for so long past, and on so many grounds, the great necessity of a change in the settlement laws."

And in the Return No. 5 in the said Report he found that the number of persons removed for the year ending 31st December, 1876, was 391; while, for the year ending 31st December, 1877, it was 524, showing an increase of nearly 34 per cent since the Act came into operation. He believed that the right hon. Gentleman intended the alteration which he effected as an experiment; that his opinion was in favour of the total abolition of the law of settlement and removal; for he (Mr. M'Carthy Downing) found that at a conference of the Poor Law Guardians of the Southern counties, held at Basingstoke, under the presidency of the hon. Member for Northamptonshire, in October, 1875, the right hon. Gentleman the President of the Local Government Board said—

> "Of all the arguments which have been brought before me for the abolition of the law of removal, none commends itself more to my mind than that if it were abolished, you would get rid of a most objectionable anomaly—the administration of non-resident relief—and you would have throughout the country a more uniform system of sound principles in the administration of out-door relief."

And with reference to the total abolition of the law of settlement, he said—

> "I took the opportunity in the early part of last year to direct the attention of all the Local Government Inspectors to the question, and have received excellent reports from them, setting forth their own opinions, and, in many instances, the collected opinions of the guardians and their clerks, and I will not conceal from you the fact that there is a vast amount of opinion tending towards the abolition of the law of settlement."

The House would observe that all recent legislation had been directed to get rid of the law of settlement. The present Government could effect that object, and he hoped the House might hear from the right hon. Gentleman that it was their intention to do so in the next Session of Parliament. If so, the right hon. Gentleman could not object to his (Mr. M'Carthy Downing's) Motion being adopted. In fact, its adoption would strengthen his hands, and render his task an easy one. The Return from which he (Mr. M'Carthy Downing) quoted in the debate of 1875 was up to and for the 31st December, 1869. From it he read to the House several cases, which made a deep impression on hon. Members then present. He would not feel justified in again quoting those cases; but there were two which, if hon. Members made themselves acquainted with, might enlist their feelings in support of his Motion—those of Catherine Stewart, page 110, and Mary Horigan and four children, page 88. As there were, in the present Session, so many Members who were not in the House in the Session of 1875, he would give the particulars of the last-mentioned case. She was the wife of Michael Horigan, who was a Marine in the Queen's Service, and at the time on active service in China. He was only seven months absent. He and his wife resided in Henry Street, Woolwich, for 10 years; had four children, the eldest nine years, the youngest one. She had been 27 years in England, and was only one year when she left Ireland. Her children were at the Military School, Woolwich. Her husband allowed her 15*s.* a-month; but, some delay having arisen in the payment, she received from the parish 2*s.* 6*d.* and two loaves of bread per week. Her husband had five good conduct stripes, and in six months he would have been entitled to a retiring pension. She was taken before a magistrate, and got to sign a statement upon oath that she had no settlement in England, and that she and her children would not suffer any bodily or mental injury by removal to Ireland. The nature of that document she did not know—she could neither read nor write. She and her children were forcibly sent on to Bristol, where she besought the officer to take her back, and that she would pay all expenses, which he refused to do, and she and her four little children were delivered at the workhouse, Skibbereen, in the county of Cork. The case was brought before the Poor Law Commissioners by a strong and unanimous protest of the Guardians of that Union, and condemnation of the law which sanctioned the breaking-up of family ties and associations with the most heartless disregard of consequences and feelings of humanity. Here was a young woman and her four children forcibly and illegally taken from her home, and transported to a place of which she had never heard. The consequence was that public indignation and sympathy were so aroused that a subscription list was opened and responded to. The Cork Steamship Company gave a free passage and 30*s.* for sea store, and Mary Horigan and her four children were in a few days again located at her own house at Woolwich; but by her return, should she again apply for relief, would be liable by the present laws to imprisonment for three months as a vagabond. He obtained a further Return under an order of the 15th August, 1875, and he found by that Return the like cases of gross illegality and cruelty as in the former. In page 6 would be found the case of Patrick Collins, removed from St. Giles-in-the-Fields to the Kanturk Union, in the county Cork. He was born in London, where he resided until he was seven years of age. Afterwards he went to Ireland for some time. The man then returned to London and worked there for years, yet the magistrate certified that he was satisfied that he was born in, or last resided for the space of three years in, Ireland, and he was, accordingly, sent to the Kanturk Union. The form of warrant was one which had been long before abolished; and in reference to the case the Poor Law Commissioners, in addressing the Lord Lieutenant, said—

> "There can exist little doubt that the printed forms had been deliberately framed, in contravention of the statute, for the purpose of carrying on the illegal removal of persons who were not born in Ireland."

Then there was the case of Ellen Connell and four children, the eldest eight years, the youngest one, sent from the Holborn Union to Cahirciveen, county Kerry. She being a married woman, her removal and that of her children was illegal, and under the warrant of a police magistrate, notwithstanding the unanimous decision of the Court of Queen's Bench that such removals were unauthorized by law. The Poor Law Commissioners refer to the case thus—

> "As a further instance of improper practice in such cases in the London police courts."

And they conclude—

> "There is now reason to believe that in a number of illegal removals which had taken place in the course of the previous year, that the forms had at all times been taken advantage of by parochial and Union authorities to obtain orders of removal without proper inquiry by the removing justices."

Upon this case the Poor Law Board of Whitehall addressed the Under Secretary of State for the Home Department, stating—

> "That they had no control over the magistrates at the police courts. That they admit there is ground for the complaint of the Commissioners in Ireland, and they fear that it is not only as regards Irish paupers that justices make orders of removal upon loose or insufficient evidence, for complaints had been made to their Board that the justices do so in case of English paupers."

If the Poor Law Board had no authority over magistrates, the Home Secretary had, and a paid official was permitted by an illegal act to separate the wife and children from the husband and parent, and cast the burden of their support upon the poor ratepayers of the Cahirciveen Union, and without any compensation to it or the ill-treated family. Mary Keating was removed from the parish of Liverpool to the South Dublin Union on the 7th of November; arrived in Dublin on the 8th, actually in labour, and gave birth to a child in six hours after her admission. The master of the workhouse reported—

> "She appeared to be in labour when presented at the gate, and was confined in six hours after her admission."

And yet a medical man declared on soul and conscience that the health of the said Mary Keating was such as to admit of her removal, either by land or sea. The medical man defended himself by stating that the woman told him that she did not expect to be delivered for another month; but the woman gave evidence that she told him that she was then ill, and begged not to be removed. And the Poor Law Commissioners stated in the Correspondence—

> "That the woman's statement was corroborated by the subsequent fact that she was actually in labour when presented at the gate of the workhouse."

He would ask, could anything be more cruel and more revolting to every feeling of humanity and manhood than the case just quoted; and yet it was only one of hundreds of others, varying only in degree? Another case referred to, and on which his hon. Friend the Member for Mayo (Mr. G. E. Browne), put a Question to the President of the Local Government Board, was that of John Tuoohy, who resided in England for 35 years, having left Ireland at the age of five. His wife was an English woman, and all his children—seven—were born in England. Tuoohy, for want of employment, was, with his wife and children, admitted to the workhouse at Kingston-on-Thames, and in 48 hours after a warrant from two county justices was obtained, without even the depositions required by law, under which this family of nine, the youngest being only 11 months, were shipped off to the Newport Union, in the county of Mayo, in which Union the man was not born, and never had been resident. In reference to this case, the Under Secretary to the Lord Lieutenant of Ireland, in addressing the then Home Secretary, said—

> "I am directed by his Excellency to add that the above case is an illustration of the hardship of the present law with respect to the removal of poor persons from England to this country."

The Guardians of the Kingston Union were called upon to take back this family and to pay the expenses which had been incurred, which they refused to do; but, with great generosity, they offered to pay the expenses if the Guardians of the Newport Union would send the family to the Castlereagh Union, which he (Mr. M'Carthy Downing) might inform the House they, the Newport Guardians, had no power to do; and upon this point the Commissioners in Dublin in their Correspondence stated—

> "The Guardians of Newport Union have no legal authority to send the paupers away at all, and they are thus, by virtue of the existing removal law in England, and the act of the English Poor Law authorities, burthened with the support of a destitute family, most of whom were born in England, and none of whom were born in the Union, or had previously been in any way connected with it."

He could supply hundreds of similar cases, but did not wish to weary the House. He must, however, refer to one or two cases from Scotland, for the information of his Scotch Friends. Mary Johnston, or Miller, removed from the parish of Larges, in Ayrshire, to Enniskillen, in Ireland. She left Ireland at the age of eight years, resided in Scotland for 26 years, was married there, had four children, the eldest seven and a-half years, the youngest two. They obtained some relief, and they were sent to Enniskillen, with which Union Mary Johnston had never any connection, having been born in the Union of Irvingstown. Every act in this case was illegal; the wife and children could not be removed without the head of the family; while in the order it was merely stated that she was born in the county of Fermanagh, and the only redress the ratepayers of Enniskillen had was an expression of regret on the part of Alexander Campbell, Inspector of Poor, for the mistake he had made. He asked the attention of the House to the facility with which families were thus illegally separated and forcibly deported—

> "Minute of Inspector's Committee.
>
> "Case of Mary Johnston, deserted by her husband three months; has no settlement in Scotland. Inspector instructed to take out warrant for the removal of paupers to Ireland."

The House would observe that there was no inquiry before the Parochial Board, or opportunity offered for explanation or information by the parties concerned. They were taken before two magistrates or the sheriff, made to sign the usual printed form that they had no settlement, which in many cases would require the most experienced lawyer to decide. The Return gave but the Correspondence in cases where the Guardians request the attention of the Poor Law Commissioners; and, therefore, there were probably 40 times as many cases of which the public had not heard. One more case from the Return of August, 1875—that of Mary Lochrey, an orphan girl, from Greenock, to Innishowen Union, in Ireland. Her father got fever and died; the mother and her two brothers died from the same disease; she also caught the fever and alone survived. In the subsequent May she was attacked with small-pox, and removed to the Greenock Infirmary. After her recovery she was sent to the convalescent ward, and from that this afflicted girl was sent to Innishowen Workhouse, accompanied by some man named M'Kenzie, without any warrant. The Guardians of Innishowen called the attention of the Commissioners to the case in these words—

> "Mary Lochrey, an orphan of seven years old, removed from Greenock. The child is only recovering from fever and small-pox, and the medical officer of the workhouse does not consider her sufficiently so to be placed in the ward with other inmates. She knows nothing about her previous residence in Ireland, and comes without the usual warrant, having only a medical certificate."

The medical officer, as in other cases, certified on soul and conscience that this wretched orphan was fit to be removed without danger of infecting others. He (Mr. M'Carthy Downing) would leave the estimate of this doctor's conscience to the judgment of the House; and as to whether he had a soul or not, he would not venture an opinion. Again, what redress had the ratepayers of Innishowen? None, save the expression of regret from John Deas, Inspector of Poor, who wrote to say—

> "If her removal at the time, and in the circumstances set forth, had been the means, or was likely to be the means of spreading disease or causing alarm in the district to which she had been removed, he regretted it."

And he (Mr. M'Carthy Downing) would particularly call the attention of the right hon. Gentleman the President of the Local Government Board to the explanation given by this Inspector why there was no order of removal. He said—

> "I have further to state the journey to Ireland on the 16th July was undertaken in the following circumstances, and for the purpose of procuring reliable information to enable the Board here subsequently to obtain a removal order, in the event of the parochial authorities at Innishowen, not being satisfied of their liability, or not being willing to undertake the future support of the said Mary Lochrey."

Against a system under which so inhuman and illegal an act could be perpetrated the voice of every humane or just man should be raised. Father, mother, brothers, all swept away within the short period of one month. This orphan of tender years alone recovered, but was shortly afterwards afflicted with the most fearful of all diseases—small-pox. The merciful providence of the Great Judge again saved her life, and while she was but convalescent, the Parochial Board of Supervision, without warrant or other authority, handed her over to some unfeeling subordinate, who conveyed her to Innishowen, of which she had never heard, and with which she was in no way connected. He (Mr. M'Carthy Downing) did not wish to use strong language; but he found it impossible to refrain from characterizing the conduct of this Board of Supervision not only as unfeeling, but inhuman. He (Mr. M'Carthy Downing) hoped that hon. Members had read the Correspondence between the Board of Supervision in Scotland and the Poor Law Commissioners in Ireland, respecting the shocking cases of removal of lunatics from Scotland, manacled. One passage he would read from a communication from the Commissioners to the Inspector of Poor at Edinburgh. Thus, page 48—

> "Recent cases of a shocking nature, in which, under the removal law of Scotland, dangerous lunatics have been taken out of lunatic asylums in Scotland, and removed in irons to workhouses in Ireland, have caused an aggravation of the sense of injustice referred to."

The account given in page 50 of the removal of John Cassidy and Peter O'Donnell revealed cruelty amounting to barbarity. He would not quote further from this Return, nor would he mention the many cases which had occurred since it was made, save one—the case of Thomas Hunt, sent from Bolton Union to Parsonstown, in Ireland, to which *The Standard* newspaper thus referred:—

> "Thirty years ago he came over to this country from Ireland, and had full work as a stonemason up to six months ago, when he got a paralytic stroke, and was admitted to the Bolton Workhouse. He was instantly shipped over to his native place, and away from his wife and children. Hunt's case, as was shown in the debate last year, is by no means an unusual one; and, consequently, we must admit that the Union Chargeability Act, great an improvement as it effected in the old law, does not protect the poor from grievous hardship."

The manner in which those removals, cruel at the best, were effected, added to the hardship inflicted, and *The North British Daily Mail*, in referring to the same case, alluded to the fact that—

> "The old man was the first to set a stone in the very workhouse from which he was so removed,"

And concluded by saying that—

> "the Parsonstown Board unanimously granted the admission, and denounced the law that imposed such hardships on old paupers who had spent the best of their days in England."

Having, he hoped, satisfied the House on the second portion of his Motion, that great wrongs had been inflicted and sufferings endured under the operation of those laws, he would proceed to the remedy suggested by his Motion. His hon. Friend the Member for the Wigton Burghs (Mr. Mark Stewart) who moved the rejection of the Bill in 1875, admitted that a grievance existed, and expressed a hope that the Government would submit to Parliament some comprehensive scheme by which the law of settlement and removal would be placed on some satisfactory footing. He admitted that the relief system in Ireland was better than in Scotland, and the principal objection urged by him and the hon. Member for Liverpool (Mr. Torr) was, that if the Bill became law, the Scotch and English Unions would be overwhelmed with an immigration of Irish paupers. He (Mr. M'Carthy Downing) felt that he might put aside that argument, drawn from circumstances resulting from the famine of 1846, when the population of Ireland was 8,500,000; and when it was now under 5,500,000, less than it was 57 years ago. Ireland had not now a superabundant population, and with regard to her pauper population, her position could compare favourably with that of England, and still more favourably with that of Scotland. His hon. Friend the Member for Edinburgh (Mr. M'Laren) also admitted that he had established a grievance, but objected to the Bill on the ground of its particular scope and one-sidedness; and he (Mr. M'Carthy Downing) would admit that to have been the weak part of his case, because the law inflicted hardships and suffering on the destitute poor of England and Scotland as on the destitute Irish pauper living in England or Scotland, although not to the same extent nor accompanied by the same cruelty. He had on the present occasion taken from his Scotch Friends that argument, for his Motion applied generally—the remedy which it suggested being that a residence of 12 months in any part or parts of England and Scotland by a person who maintained himself or herself by some industrial occupation previously to obtaining relief should be irremovable for life. The result of such a change in the law would be that after an industrial residence of 12 months in any part or parts of Great Britain, a poor person would be entitled to relief in the Union in which he became destitute, which would be an assimilation of the law to that of Ireland. It would be said that this might cause an undue accumulation of paupers in any particular Union; but that was met by a Statute that rendered a person liable to a month's imprisonment for going from one Union in which he had been resident to another for the purpose of obtaining relief, and by the fact that the Irish system had been found to work admirably, as proved by Sir Alfred Power and others. Then, as to the law of settlement, it must be recollected that it had been almost universally condemned. Every writer and statesman from Adam Smith to the present time had done so. A Select Committee of this House in 1847 passed the following Resolutions:—

> "1. Resolved—That the law of settlement and removal is generally productive of hardship to the poor and injurious to the working classes, by impeding the free circulation of labour.
>
> "2. Resolved—That it is injurious to the employers of labour and impedes the improvement of agriculture.
>
> "3. Resolved—That it is injurious to the ratepayers, by occasioning expense in litigation and removal of paupers,

> "4. Resolved—That the power of removing destitute poor persons from one parish to another in England and Wales be abolished."

The evidence given before the Select Committee of 1859 was strongly in favour of its abolition. Every official Report and the evidence of the most experienced Inspectors were in favour of its repeal. Mr. Pashley, Q.C., a high authority upon the question, strongly recommended to do away with the laws of settlement, and to relieve the poor in the place they chose for their own residence; and Dr. Allison, Professor of Medicine in the University of Edinburgh, in a paper read by him at the Statistical Society in Belfast, said—

> "The simpler, cheaper, and more satisfactory solution is to do away with legal rights of settlement altogether, and let relief be administered to destitution wherever it shows itself under the best checks that can be devised for ascertaining the distress and apportioning the aid given."

That was exactly the law as it now stood in Ireland, and he remembered that his hon. Friend the Member for Hackney (Mr. Fawcett), in a former debate, stated that the Irish system had been more successful than either that of England or Scotland. He believed that the public opinion of England was in favour of the abolition of the law of settlement, and that the feeling of the people of Scotland was in favour of a radical change in the law of removal. In the year 1871, Mr. Craufurd, then Member for Ayr, obtained a Select Committee, which received evidence for two years, and made a Report in reference to a residential settlement under the Scotch law, to the following effect:—

> "The practical result is to throw many paupers back on the parish of their birth, frequently at the close of a long life spent in a totally different part of the country. This evil is aggravated by the fact that most of the towns which constitute the chief centres of labour are divided into more than one parish, and a change of residence from one part of the same town to another may either prevent the acquirement of a residential settlement or defeat it after it has been acquired."

Mr. Craufurd introduced a Bill founded upon that Report, but was unable to prosecute it before the late Parliament was dissolved. In the last Session, the noble Marquess the Member for Argyllshire (the Marquess of Lorne) presented a Petition from a Parochial Board in that county praying that towns receiving the benefit of the industrial residences of parties who had spent long periods in those towns should be charged with their support on their becoming paupers. He (Mr. M'Carthy Downing) now appealed to the good sense, judgment, and humane feelings of the Representatives of the people to support his Motion, which, if carried, must result in the repeal of the laws to which he had referred, and under which so much wrong and suffering had been endured. His appeal was not on behalf of the destitute Irish alone—it was as well on behalf of the destitute English and Scotch. He felt that he had occupied a very considerable portion of the time of the House, and expressed his grateful acknowledgments for the patience and attention with which it had heard him. The hon. Gentleman concluded by moving the Resolution of which he had given Notice.

Motion made, and Question proposed,

> "That the Laws under which the destitute poor receiving relief from the poor's rate are subject to removal in England and Scotland in their operation inflict many wrongs and cause great sufferings; that they are unjust and impolitic; therefore, That, in the opinion of this House, the said Laws ought to be so amended as that every poor person who shall have maintained himself or herself for twelve months by some industrial occupation in any parish, combination of parishes, or union in England, Wales, or Scotland, previously to receiving such relief, shall not be subject to removal therefrom."—(*Mr. M'Carthy Downing.*)

Mr. MARK STEWART said, he was sure he was only expressing the general opinion of the House in saying that ever since the speech of the hon. Member for Cork first called attention to the subject, an interest had been awakened in it. He would not follow his example of making a long speech, though he rose to oppose the Motion, in which there was, no doubt, much to excite their deep feeling on behalf of those persons who were subject to the hardships complained of, which had been narrated by the hon. Member (Mr. M'Carthy Downing). He would content himself by referring to a few facts, to show the position in which they stood in Scotland in regard to this question. The speech of the hon. Member was very much made up of those harassing details of wretchedness and misery which accompanied those persons who were forcibly removed; but, while he had no doubt given them touching scenes, at the same time he must know that many of them were not subjected to the treatment to which he had referred, and it was quite the exception. He (Mr. Mark Stewart) had never known in his experience of any case of actual hardship. He lived very near Ireland, and represented Stranraer—a town containing the largest population in Wigtownshire — where only 10 cases of removal had occurred during the last 10 years; while, from the whole county of Wigtown, from 1870 to 1875, five years inclusive, by the last Return presented to the House, only eight paupers and seven dependents had been removed to Ireland, and great care was taken by the authorities to avoid hardship. That did not show that this law operated in the hard-hearted, tyrannical manner, which had been so forcibly depicted by the hon. Member. No doubt there were cases of hardship in which mothers had given birth to their offspring at unexpected times, and although there was every precaution taken by medical testimony and by magistrates, still mistakes would occur which nothing short of foresight would remedy. However, he was quite ready to admit that the law might be advantageously altered, and he heartily wished that the Government would bring in some Bill which would render more uniform the law of settlement of the poor in Scotland and Ireland. The people of Scotland were perfectly willing to give Irish paupers who came to Scotland the same advantage that they gave to their own poor in Scotland, and he would concede that the Scotch law of settlement should be made applicable to the Irish. But would that be accepted, for hon. Members knew very well that Irishmen did not remain very long in one place? Hon. Members knew very well that there was great difficulty in dealing with the race; they migrated rapidly; so that a man might very well live 30 or 40 years in Scotland without staying more than a very few months in a particular parish. The same thing happened in the South of Scotland, whence many persons went to the mining and manufacturing districts, and no more was heard of them until after they had passed the best of their years and were broken down in health, they became chargeable on the parishes where they were born, or left large families chargeable upon them, without these parishes getting any remuneration from the localities that had benefited by their labour. There was, no doubt, occasional hardship; but he could not consent to lessening the term of residence necessary for a settlement. If it were lessened to one year as proposed, Scotland would be inundated with Irish paupers, and its poor rates would soon be doubled. He wanted to point out to the House the inconvenience of a Motion of this kind. He had not the slightest objection that the hon. Member should come down to the House armed with all the facts of the case; but, unfortunately, when he took the course he did in 1875, they had no immediate facts to guide them in the discussion of the question; and now Returns had been moved for some months ago by the hon. Member and himself, which, although being prepared, were not yet given to Members, though nearly ready. Well, in July of 1875 a Return was granted, which was published in August following, and as they were of an interesting character, and had not, at the time of that debate, been published, or had ever been referred to in the House as far as he was aware, he would now quote from them. These Returns gave the number of persons removed from England and Wales to Ireland, and it appeared that from 1870 to 1874, inclusive, 1,263 such persons were removed from England and 23 from Wales, making a total of 1,286, or an average per annum of 257; while the number for the same period from Scotland was no less than 1,151, or a yearly average of 230. Again, the Returns published in 1875 showed that the number of paupers receiving relief in Scotland, but born in Ireland, including those in workhouses and those in receipt of out-door relief, was 58,474. On the other hand, the number of paupers receiving relief in Ireland who were born in Scotland in six months of 1875, was 196. So that, while they had of Scotch people only 196 living on the relief fund of Ireland, the Irish had 58,474 persons living at the expense of Scotland.

MR. M'CARTHY DOWNING asked, whether the heading of that Return was not "Irish born and descendants of Irish?"

MR. MARK STEWART: The heading that he copied down was "Number of paupers, including children, receiving relief in Scotland, born in Ireland," and the Return went on to specify what the children were, not exceeding 16 years. Then there was another Return in May, 1876, of the number of paupers born in England receiving relief in Irish workhouses, including dependents—namely, 259; and on the 1st of July, 1875, the paupers born in England receiving out-door relief in Ireland numbered 30; while the persons born in England receiving relief in lunatic asylums in Ireland were 49; making together a total of 358. What were the facts on the other side? The number of persons born in Ireland receiving relief in England and Wales, with their dependents, including workhouse relief, out-door relief, and relief in lunatic asylums, &c., was no fewer than 40,016. That was for the six months ending January 1, 1875. For the six months ending July 1, 1875, they numbered 36,266, making together a total of 76,277 Irish persons who were living at the expense of England and Wales, as against 358 persons born in England who were living at the expense of Ireland. These figures showed that the hardship of the present system was not all one way. He had a letter sent to him once in which it was stated that in a certain Union in Ireland it used to be written up in large characters that whoever went over to Scotland immediately before the harvest should have his passage paid and a suit of clothes. [Mr. KING-HARMAN: What is the name of the Union in question?] He believed it was in Roscommon. That was an illustration of what could be done by a Union that was anxious to get rid of its poor. There was no such thing as settlement in Ireland, and therefore the people of that country went over to Scotland or England in order to obtain a comfortable settlement. He should be glad to see a more uniform system of removal, and he appealed to his Friends on the Treasury Bench, whether they did not see their way to legislate on the matter in a comprehensive manner. The sooner that was done the better it would be for Ireland, England, and Scotland, and the House would be spared the pain of listening to such heartrending narratives as they had heard that evening.

MR. KING-HARMAN, in supporting the Resolution moved by the hon. Member for Cork (Mr. M'Carthy Downing), denied that the Irish people went over in large numbers to England and Scotland to live upon the charity of those countries. Because there were so few manufactures in their own country, Irishmen went to obtain honest employment in the manufacturing and mining industry of England and Scotland as long as their health and strength would enable them to work, and when their energies were exhausted and they had become old, they were not only sent back themselves to Ireland, but their wives and children, who, in many instances, had never seen that country, were sent back with them under circumstances of the greatest hardship. Surely that was a monstrous system, and one that ought not to be perpetuated. The hon. Member who spoke last had mentioned the case of a union in Roscommon in which their passage money and clothes were offered to Irishmen to induce them to go to Scotland. He did not believe that such a thing had really been done, and as there were three unions in the county of Roscommon, he would challenge the hon. Gentleman to say which of them his statement referred to. It was said that the Irishmen who went to Scotland were restless and vagrant; but the fact was that they had to follow their work, and they could not obtain a settlement on account of the extreme harshness of the Scotch law. There was no excuse for the ruthless way in which Irish people were sent back to their parishes when disabled by age or sickness, except the inequality and injustice of a law which required amendment. The present state of the law was known to be regarded with indignation all over Ireland. Nor did he think that indignation was without justification, for although he could not say that the law, as it existed, was exceptionally directed against Ireland, he did say that it pressed with peculiar severity on them, owing to the peculiar circumstances of the case. He appealed to the President of the Local Government Board to do something to diminish the hardship of the present law.

MR. RATHBONE said, that an enormous number of Irish people annually crossed over to Liverpool, and those who could prove a one year's residence could not be sent back. In many cases Irish poor could be removed if the law were enforced, but the Liverpool Guardians did not enforce the law when they felt that its enforcement would be a hardship. Those who had listened to the speech of the hon. Member for Cork might be of opinion that the Liverpool Union was in the habit of sending back, under the most cruel circumstances, hundreds of Irish who had worked for years in Liverpool; but that was simply not the fact. About one-fourth of the inhabitants of Liverpool were Irish; but more than half of the pauperism and half of the crime in Liverpool was Irish. The ratepayers did not object to the burden of that pauperism and crime; they felt that it came naturally to them, as a consequence of Irish labour, which was most useful to Liverpool; but what the ratepayers did object to was the throwing upon England of pauperism which resulted from crime and wrong in Ireland. There was a time when an organization existed in Dublin for the express purpose of sending people to England. Women were sent from Ireland expressly to be confined here. ["Oh, oh!"] Hon. Members might say "Oh!" but that was a fact; and, if he was not mistaken, one of the cases of hardship referred to by the hon. Member for Cork belonged to that category. If hon. Members would visit Liverpool, they would find that large numbers of Irish paupers received far better treatment there than was accorded to paupers in Irish workhouses. There were no such hospitals in any town in Ireland for the care of paupers as there were in Liverpool. This was one of the difficulties of their position, because it acted as an attraction to the Irish to resort to their city. It was not wise to introduce a question of this sort, and to make exaggerated and incorrect statements against a town which treated Irish poor with most considerate kindness. He had been reminded that he had many Irish constituents; but he wassure that his Irish constituents knew him too well to believe that such a hint was necessary, or that it would in any way influence his conduct.

Mr. BRUEN supported the Motion. He joined with the hon. Member who introduced it in affirming that very great hardship was inflicted by the removal of persons to Ireland, many of whom had no connection with that country. When figures were produced showing the number of Irish paupers chargeable upon the rates in England and Scotland, it should be remembered that countries having great centres of industry naturally attracted a large number of the Irish poor seeking for a livelihood, and the benefit England and Scotland derived from the labour was quite equal to the cost of those maintained on the rates. It was exceedingly difficult to apportion the rate of chargeability; but as a remedy was essential, he would suggest the expediency of establishing something like a Clearing House, by which the chargeability of paupers could be ascertained, and the charge be apportioned, without removing the paupers. He hoped they would hear from the President of the Local Government Board a repetition of the expressions which fell from him on a previous occasion, when he said that he trusted they might see the day when this cruel law of removal would be abolished. He could not conceive how anyone could stand up in the House and defend a system by which a man could be imported from one part of the Kingdom to another simply because he became chargeable on the rates for relief. The Poor Law of Ireland was enacted at a later date than that of England, and the system which prevailed under it was, and perhaps for that reason, a more merciful one than that now in force in this country.

Mr. HIBBERT said, that while he could not agree with every word of the Motion of his hon. Friend the Member for Cork (Mr. M'Carthy Downing), he sympathized with the object he had in view in submitting it to the House. He knew that what his hon. Friend had stated as to the hardship inflicted upon Irish paupers in their removal was borne out by the fact. His hon. Friend the Member for Liverpool (Mr. Rathbone) said that the statements made had been exaggerated, and there was, perhaps, some slight exaggeration in reference to the town his hon. Friend represented; but the case was one which did not at all require high colouring. No exaggeration whatever was necessary, as each case which had been or could be adduced was in itself bad enough to show that an alteration of the law was required. In regard to the Resolution of his hon. Friend, if he would leave out all the words after "amended," so that it would read, in the "opinion of the

House the said laws ought to be amended," he would be happy to give it his support. It might be a matter for consideration whether the English and Scotch law should be assimilated to the Irish, or the Irish to the English and Scotch; but it was certain that the present condition of the law was almost a disgrace to the United Kingdom. The system in operation had certainly been modified in later years, so as to bear with less hardship on Irish paupers; but he should be glad to see the day when the Law of Settlement would be abolished altogether. He did not say that could be done without hedging it round with many conditions, and special cases like that of Liverpool, where there was an unusually large percentage of Irish paupers, would have to be provided for. But they ought to look at the question from a broad point of view. Irish workmen were more and more wanted in this country, and it was a hardship that, after passing the best part of their lives in England or Scotland, they should, when misfortune overtook them, have no industrial settlement, and must be sent back to Ireland. He considered the case of Scotland to be the worst. The Law of Settlement was very severe. In the first place, five years' residence was required; and, in the second place, it was only residence in a parish, and not in a Union, as in England. In Glasgow a man might, by removing from one side of the street to another, change into a separate parish, and so lose his industrial settlement. He hoped his right hon. Friend would be able to tell them that he could take the matter up, and deal with the inequalities existing between the three countries. If they were ever to have a perfect union between the three Kingdoms, they must have in this respect one law, adaptable to all. He thought, at least, they might be able to minimize the conditions of removal. There were many towns in Lancashire which never removed a pauper, and one of these was Manchester. If a place like Manchester, where there was a large Irish population, could do without removing the paupers, he thought it showed that the same thing could be done in other parts of the country.

Mr. MACARTNEY said, it must be very gratifying to the hon. Member who had moved the Resolution to find that no one had risen to defend the system which he attacked. The number of paupers which had been sent back to Ireland from England had been very few. From Scotland the number had been larger, and the persons sent had been mainly old men and women, who, leaving Ireland young, had spent the best years of their life away from their native places, and had then, in old age and poverty, been sent back to the Unions, which had derived no advantage from their work when they were able to take part in industrial pursuits. In regard to some observations that had fallen from speakers in the debate, he did not think the poor relief given in this country was so very superior to that given in Ireland. If England and Scotland would make in-door relief the rule, and out-door relief the exception, it would be an immense advantage to the ratepayers of the country. The present state of the law was a cause of complaint to Ireland, and he would be happy to see the law so far assimilated as to make the complaint to cease.

Mr. FRENCH thought it had been clearly shown that the law of England as to settlement was in a very unsatisfactory state. He was sorry the hon. Member for Cork had not gone a little farther, and advocated the abolition of the Law of Settlement and Removal altogether. He thought the Irish law would work exceedingly well in England and Scotland. He cordially supported the Motion.

Mr. VANS AGNEW thought that the hon. Member, in introducing this subject, had dwelt rather too much upon exceptional cases. A great deal had been said about the Scotch Poor Law. The settlement in Scotland was only that of the parish and not of the Union, and a residential settlement when acquired might be lost if a person was absent for four years and one day from the place where he had possessed it, falling back then on the place of his birth. That was the reason why so many settlements were lost in Scotland. But removal was not a grievance that applied to the Irish only. The Scotch had the same grievance in regard to labourers who went to England, and it was only an additional reason why the laws of the three Kingdoms should be brought into similarity. When the Irish labourers went over to Scotland, they did so with the intention of getting work, and not of acquiring a settlement. The settlement of the wives and children must follow that of the heads of their families. He believed that the place of birth of the head of the family in the cases referred to must have been Ireland, otherwise they would not have been removed. A more stringent enforcement of in-door relief had been recommended; but the poor rates in Scotland could not be rendered lighter by that means, from the fact that they were not under the necessity of having workhouses, and had no power of enforcing in-door relief in Scotland such as could be enforced in England and Ireland. He should be glad if Her Majesty's Government could see their way to deal with the general Law of Settlement and Removal.

SIR PATRICK O'BRIEN said, that in every part of Ireland there were tales of extreme hardship, resulting from the existing system. He hoped that some Members of Her Majesty's Government would be able to state to-night that they saw their way to remedying the admitted evil. The simplest way to do so would be to remove the power of Removal and abolish the Law of Settlement. He should like to know where the large manufacturing towns of England, such as Barrow and Middlesborough, would have been if it had not been for Irish labourers; for it was undoubtedly the fact that those places had been made large commercial centres by Irish labour. That being the case, he thought the Irish labourers were treated most unfairly under the present Poor Law system when they became unable to support themselves. He hoped the right hon. Gentleman would undertake, on the part of the Government, to take a step in the direction to which all the speeches that had been delivered to-night tended.

MR. SCLATER-BOOTH said, that although the debate had lasted some hours, there appeared to be no dispute as to the general proposition suggested by the hon. Gentleman's Motion—namely, that in the operation of the Law of Removal there was some harshness and severity, in favour of which not one word could be said on either side of the House. But the attack on the Law of Removal to-night had been made entirely from an Irish point of view. He admitted that the time was coming when the Law of Removal must be modified, if not abolished; but the local authorities were not at present satisfied that the time had actually arrived for an absolute and sweeping change in that respect, and the conferences that had taken place for some years past on this subject throughout England had shrunk from the proposition that removal should be entirely abolished. Whenever the Law of Removal came to be materially altered or abolished, it must be accompanied by certain compensating provisions. There must, for instance, be a much more stringent vagrancy law. There must also be a law of domicile, by which every individual would have a place of residence assigned to him; and, in addition, there must be a much more stringent system of out-door relief than had ever prevailed in this country. The administration of out-door relief had, indeed, greatly improved during the last few years; but not so universally as to admit of an alteration in the law at the present moment. In theory, no doubt, the hardship was as great in removing a pauper from the North to the South of England as it was from England to Ireland. The operation of the Law of Removal in regard to Irish paupers was in process of rapid mitigation. Acts of Parliament were passed in 1856, 1859, and 1865, relating to the law of irremovability. As the law now stood, if a pauper had resided in the Union for a period of one year without receiving relief, he could not be removed from that Union; and, of course, Irish as well as English paupers had the advantage of this law. The number of removals to Ireland had been reduced in the last eight or ten years to about 250 annually. The great proportion of these removals took place in Lancashire and Liverpool. ["No!"] Well, in the last 3½ years there had been 888 removals from England to Ireland. Out of these, 368 were from Liverpool, 126 from the rest of Lancashire—making 494 from the whole of that county. From the Metropolis there were 143 removals, and from the rest of the country 221; and, so small was the area to which the operation of this practice extended, that out of 650 Unions in England and Wales, there were only 66 Unions from which removals to Ireland had been effected in the last four years. A mitigating process was, therefore, going on. He now came to a period in which he was more particularly concerned. In 1875, he brought forward a proposal with a view of mitigating the hardships attending removals to Ireland. His offer was not accepted in the form in which it was made, and therefore he was released from any obligation which he had incurred; but he did not feel justified on that account in refraining from endeavouring to propose something satisfactory, and which might mitigate what he admitted to be the harshness and severity of the law. In the Poor Law Amendment Bill of 1876, he introduced a proposal for the special benefit of the Irish pauper, that there should be a settlement founded on the same condition as those which made up the status of removability—that where an Irishman should be settled in a parish for three years, without being chargeable to the rates, it should not only give him a status of removal, but also a settlement in the parish. If the question affected the Irish pauper alone, he should not have been very particular as to whether the period ought to be three or two years, or whether the settlement should be gained in the parish or Union; but there were other difficulties to be encountered, and it was not desirable to mix up this question of settlement with that of irremovability. Settlement was an old feature of the law to which a great many legal conditions attached, and they could not be decided without very careful consideration. It was too soon, however, as yet, to judge of the effect of that change in the law, and, besides, there had been some confusion with regard to the application of the law. A difficulty had arisen as to whether it was intended that the Act should be retrospective, and some conflicting decisions had been given. There could be no doubt whatever that the intention was to make the Act retrospective, and he was happy to say that, in a recent decision, that interpretation had been given to the Act. If that view were not supported by future cases, he should be disposed to cure any ambiguity in that respect. He really thought injustice had been done to Liverpool, where the Poor Law was well administered, and the workhouses admirably managed. There was evidence in the Blue Book, showing that in some cases poor women went over from Ireland to Liverpool with the express purposes of being confined in England. He did not mean to say that this would justify the removal of women under such circumstances. Only two cases of complaint had been brought under his notice since he came into Office; but in both of them he had every reason to be confident that the Guardians and workhouse authorities were humane and kindly people, who would commit no act of cruelty; and he might remind the House that Statutes had been expressly made in order to provide against the repetition of the harsh treatment that was formerly the rule. As far as he could ascertain, even in the Nottingham case, every care had been taken that the pauper should be properly conveyed to his destination. As regards the Law of Settlement, he did not see how that could be shifted every few years, as the law had to be administered by the Guardians throughout the Kingdom and comprehended by the poor, for whom an often-changed and undefined law was wholly unsuitable. The hon. Member would see the extreme difficulty of carrying out his proposition in practice, and in many other points he would see that the law was not the same all over the United Kingdom. Of all subjects, this particularly caused jealousy between the local and central authorities, and, in his judgment, the time had not yet arrived when a measure of reform could be hopefully introduced. He had a Consolidation Bill in preparation, and did not know that he should have to propose any very serious changes in the Poor Law system; but, with respect to the Law of Removal, the Act of 1876 would have to be re-considered according to recent experience. He deprecated, however, being compelled to bring in his Bill at a particular time. With reference to the Resolution, he thought the hon. Member would find it more expedient to rest satisfied with the debate, and to refrain from pressing his proposal to a division. It was, doubtless, true that the laws in question had in their operation inflicted many wrongs; but they had not, he submitted, been unjust. The particular remedy propounded in the Resolution was not really applicable, because it confused two Laws of Removal and Settlement which should be left distinct. He hoped the hon. Gentleman would believe him willing to do all that was in his power to improve the law relating to

Ireland. There was no reason to suppose that the present or any other Government would be blind to the considerations of humanity; and, without giving any pledge that the law of the two countries should be made absolutely uniform, he could assure the hon. Member for Cork that no effort would be wanting on his part, as far as possible, to diminish cases of hardship.

MR. PELL said, he could not agree to the remark which had been made by the hon. Member for Liverpool (Mr. Rathbone). It appeared to him that he desired to have all the work that Irishmen could give, yet not to bear any of the burdens. [Mr. RATHBONE: I distinctly said the contrary.] That was the inference he (Mr. Pell) drew from the speech of the hon. Member. He seemed to have a sort of wholesome horror of the Irish pauper which did not extend to the Irish workman. He agreed with the Motion of the hon. Member for Cork (Mr. M'Carthy Downing), and thought that if they had the work of the Irish people, they were bound to relieve them so long as the law existed in its present state. What would be the state of the country if Irish labour were withdrawn? If advantage were taken of a strong and able, and, he might say, industrious race of people, the necessary consequences ought to be borne. What were the consequences? He did not think that any evil consequences arose from these old people settling in the borders of England in their advanced age. It was, no doubt, the result of a bad administration of the Poor Law that these poor people should think that, by remaining in the neighbourhood where they had worked, they would gain some advantages over what they would receive in their own country. Perhaps, the treatment which they would meet with as a class in Ireland would be better than that in England; but if the administration of the Poor Law in England led Irish paupers to remain in the particular districts in which they were located, Parliament ought not to deny them that freedom, and drag them away from the place where they lived and where they wished to die. There was great truth in what the President of the Local Government Board had stated, that they ought not hastily to make sweeping changes. If the word "sweeping" were taken away, he thought some change ought to be made. He did not desire to see the Law of Settlement remain as it was. He should like to see greater freedom given; and, as he had said once before in that House, he thought the Law of Settlement was unjust and unreasonable. For his own part—and he had had some acquaintance with the districts where many persons from Ireland came—he did not find that they burdened these districts with pauperism more than the English, in those cases where the law was fairly and properly administered. On that account, he should give his support to the Motion that had been made by the hon. Member for Cork. It was evident from the latter part of the Motion—that which referred to the change which he desired to see in the law—he had fallen into some error. He understood that his intention was that if any person had made an industrial occupation for one year in a parish, in any part of the Kingdom, that he should not be removed therefrom. That was really the present law. If suffering from illness, and unable to maintain himself, then it was only just that, for such period as he required relief, he should be a charge upon the locality in which he had worked. Upon the restoration of his health, he would be just as able and useful as before, and his work would be wanted in the spot in which he had been relieved. He did not know whether the hon. Gentleman was going to a division or not; but he should certainly support him.

MR. D. DAVIES said, he had had a great deal to do with Irish labourers. He was pleased to find the good feeling that there was in the House upon this question, and he certainly would support the Motion if it went to a division. He was glad, also, to see that there was a good feeling on the part of the Government towards it. He wished to state his opinion that the law should be altered so as to make it unnecessary to remove any poor Irishman or woman back to Ireland against his or her will. Any measure to carry that out he should support. He could remember many occasions on which he had employed Irishmen to go to Ireland to seek labour. These Irishmen did not come to this country of their own accord, but on pressure when their labour was required. It would be a great hardship that after they had had that labour, they should refuse to bear the burden. England had had that labour; and what was any country without labour? Whatever faults the Irish had, England had their labour; and it certainly would be most cruel that, having had it, England should send them back to Ireland whenever they became incapacitated. In his opinion, it would be very unjust, and a reflection on a civilized nation, that they should compel poor Irish men and women to go back to Ireland against their will when unable to keep themselves. The hon. Member who moved the rejection of the Motion proved that 76,000 Irish were being supported in different parishes in England and Scotland. But that only showed the vast number of Irish people there were in England, and who formed the wealth of this great country. What would England be without labour? Wealth was only an accumulation of labour, and the Irish people did accumulate a vast amount of wealth for England. They should not be sent back to Ireland, because it was a poor country; and he had never heard weaker arguments than those adduced in favour of that proposition.

Mr. DELAHUNTY said, that the reason why Irishmen came over to England was that they were forced by circumstances arising from bad legislation. Years ago Irishmen were able to maintain themselves in their own country, and some 50 or 60 years ago Ireland was making equal progress with England in industrial development. Legislation had produced for Ireland a state of things which compelled Irishmen to leave their country in order to live by their labour. Arthur Young, writing 100 years ago, said that the towns in Ireland were very much increased in the previous 20 years, and that Ireland had been rebuilt within that time; and he referred to that as a strong indication of the rising prosperity of the country. The population of Ireland then was constantly increasing, and there was no necessity for the people to go to Scotland or England to seek employment. That state of things continued till 1826, and up to that time Irish labour neither went to England, Scotland, nor Wales. When they came to seek for the cause of Irishmen now leaving their country in search of employment, he would refer to a description of Ireland given by the present Prime Minister in 1868, very different to that given by Young in 1778. He said that the condition of Ireland in 1845 was deplorable, and described the miserable manner in which the population dwelt. They had, he said, no clothes, no shelter, and insufficient food, and dwellings not fit for the lower animals. That was, he said, no doubt, true; and, under such circumstances, men would be discontented with any form of government. The Prime Minister went further; it was not necessary for him to say how far he went; he would only say that at that time, owing to misgovernment, the people of Ireland were insufficiently clothed and fed, and had no dwellings fit to live in, although they had a fine country. Since that time the country had become depopulated, and instead of what should be now 12,000,000 or 13,000,000 of people living in affluence and wealth by manufactures, they had been reduced to 5,000,000. And now England, which had profited by the labour of Irishmen thus forced to go there, sent them back, while America retained those who had to emigrate to her shores. The people which came over to England and enriched the country were sent back in their old age. All he could say was that if Ireland were governed by the same laws as England, she would enjoy the same prosperity, and there would be no necessity for Irishmen to come here. So far as regarded the question before the House, he trusted the hon. Member for Cork would press his Resolution to a division. He was not at all satisfied with the assurance of the right hon. Gentleman that something should be done, and with this view he begged to support the Resolution of the hon. Member for Cork.

Mr. NEWDEGATE said, that he agreed that there must be a settlement somewhere if there were to be any Poor Law at all. They had had an administration of the Poor Law since the age of Queen Elizabeth, and the foundation of it had been local administration by local authorities. He, therefore, hoped the House would have its attention called to the very grave principle involved in the Motion now before it. For his part, he had no ill-feeling towards the people of Ireland; but why was Ireland poor? Ireland was poor because the

Irish people, for reasons as to which there might be a difference of opinion, had not been able to make it rich. The elements of prosperity were there if they were only developed. Hon. Members had told the House that Home Rule would add to Irish prosperity; but how came it that at that moment they were proposing a principle directly in opposition to Home Rule? The House was informed that Home Rule was the local self-government that was required in Ireland, and yet they were about to strike at the root of local self-government. That must be an Irish view of the question; but to his uninstructed English intellect it seemed that the Poor Law was founded upon the Law of Settlement, and could only be administered on that basis. It did appear to him extremely inconsistent that the advocates of Home Rule should propose to abolish a principle which was the foundation of local self-government. If there were anything harsh towards those who sought its protection in the present Poor Law, he should be glad to see it abolished; but that was very different from striking at one of the vital principles of local self-government. He, therefore, hoped that the Motion would not be accepted by Her Majesty's Government.

Mr. M'CARTHY DOWNING felt rather disappointed with the reply which he had received from the right hon. Gentleman the President of the Local Government Board. In 1875, he promised to consider the whole subject, and to bring in a measure of a comprehensive character that would apply to the three Kingdoms. Yet, in the whole of his speech that night, he had not referred at all to the state of the law in Scotland. The object of the Resolution he had moved was that Irishmen and Scotchmen in England who had been 12 months in one parish, or had been 11 months in one parish and one month in another, would become irremovable. Why did not the right hon. Gentleman undertake to make the law of Scotland the same as that of England? He avoided that altogether, notwithstanding the expression of feeling on the part of the whole House; and he must say, for the credit of the Scotch Members, that they were anxious to see the same law applied to Scotland as existed in England. He did expect that the right hon. Gentleman would have accepted the proposal of the hon. Member for Oldham (Mr. Hibbert); and if it had been admitted that 12 months' industrial occupation in any part of England or Scotland would have been a settlement, he should have been willing to have accepted that proposition. He thanked the hon. Member for South Leicestershire (Mr. Pell) for his speech in favour of the poor Irish, to whom he had given so high a character. Then, there was his hon. Friend (Mr. D. Davis), who had borne his testimony to the work of the Irish in this country; and who, after 30 or 40 years' service, were sent back to their country as mere lumber and refuse. The right hon. Gentleman the President of the Local Government Board, having promised nothing and not being prepared to adopt the Resolution, there was nothing for him to do but to divide the House.

Mr. VERNER hoped the House would be able to come to a conclusion without a division. This certainly might be accomplished by an alteration of the wording of the Resolution, which would, he believed, be acceptable to the right hon. Gentleman the President of the Local Government Board. After the many kindly speeches which had been delivered that night in reference to Ireland, he did not think the Lobby should be resorted to; and therefore he suggested that, instead of the latter part of the Resolution, the words should be "that the law requires consideration with a view to amendment."

Amendment proposed, to leave out from the word "inflict," to the end of the Question, in order to add the words "hardships, and requires consideration with a view their amendment,"—(*Mr. Verner,*)—instead thereof.

Mr. O'SHAUGHNESSY hoped the suggestion of his hon. Friend would be adopted.

Mr. STACPOOLE hoped his hon. Friend the Member for the county of Cork would not agree to the alteration as suggested. The Amendment would be of no use to Ireland, and, therefore, should not be accepted.

Mr. M'CARTHY DOWNING said, after the remarks of his hon. Friend, considering all the circumstances of the case, and the kind of feeling which had characterized the debate, he was prepared to accept the Amendment.

Amendment and Motion, by leave, *withdrawn.*

REMOVAL OF PAUPERS.

Resolved, That the Laws under which the destitute poor receiving relief from the poor's rate are subject to removal in England and Scotland in their operation inflict hardships, and require consideration with a view to their amendment.—(*Mr. M'Carthy Downing.*)

BRITISH MUSEUM (TRANSFER OF COLLECTION) BILL.

On Motion of Mr. Walpole, Bill to enable the Trustees of the British Museum to remove portions of their Collections, *ordered* to be brought in by Mr. Walpole, Mr. Lowe, and Sir John Lubbock.

Bill *presented*, and read the first time. [Bill 236.]

PARLIAMENTARY ELECTIONS (RETURNING OFFICERS' EXPENSES) (SCOTLAND) BILL.

On Motion of Mr. James Stewart, Bill to enable Returning Officers at Parliamentary Elections in Scotland to require security for their expenses, and otherwise to amend the Law of Scotland relating to such expenses, *ordered* to be brought in by Mr. James Stewart, Dr. Cameron, Mr. Montgomerie, and Mr. Ramsay.

Bill *presented*, and read the first time. [Bill 237.]

House adjourned at quarter before One o'clock.

HOUSE OF COMMONS,

Wednesday, 3rd July, 1878.

MINUTES.] — Public Bills — *Ordered—First Reading*—Municipal Corporations Acts* [238]; County Courts Jurisdiction (No. 3) * [239].

Second Reading — Habitual Drunkards [27]; Landed Estates Court (Ireland) Leases [83], *put off;* Political Prisoners [84], *debate adjourned.*

Withdrawn—Church Rates (Scotland) [75]; Local Government Provisional Orders (Ireland) Confirmation (Downpatrick, &c.) * [210].

ORDERS OF THE DAY.

CHURCH RATES (SCOTLAND) BILL.

(*Mr. M'Laren, Dr. Cameron, Mr. Baxter, Mr. Trevelyan, Mr. Laing, Sir George Balfour.*)

[BILL 75.] SECOND READING.

ORDER DISCHARGED.

Mr. M'LAREN, in moving that the Order be discharged, said, that perhaps the House would allow him to say why he did so. In the first place, there had already been a discussion this Session in the House on the question of the Church Establishment in Scotland; and, in the second place, a large number of Nonconformists, who were formerly in favour of the abolition of church rates as a means of smoothing down existing difficulties, were now in favour of Disestablishment. Therefore, he thought it well to withdraw the Bill.

Motion *agreed to.*

Order *discharged;* Bill *withdrawn.*

HABITUAL DRUNKARDS BILL.

(*Dr. Cameron, Mr. Clare Read, Mr. Ashley, Sir Henry Jackson, Mr. Edward Jenkins, Mr. William Holms, Mr. Richard Smyth.*)

[BILL 27.] SECOND READING.

Order for Second Reading read.

Dr. CAMERON: Sir, in asking the House to read this Bill a second time, I wish to disabuse the minds of hon. Members of any idea that it is an heroic measure proposing to deal with the great national curse of intemperance, or that it proposes to carry out its objects by means of institutions of a costly nature, supported out of the national funds, or that it infringes on the precarious tenure of liberty which the habitual drunkard at present enjoys. On the contrary, it proposes to deal only with those chronic and inveterate drinkers in whom the habit, as I shall show, is associated with a diseased condition of the nervous and digestive systems, a condition which experience shows to be susceptible of cure in a large percentage of cases, if properly treated. It proposes to utilize for its purposes a class of institutions of which a number at present exist throughout the United Kingdom, and it proposes to do so entirely without expense to the nation. Lastly, so far from jeopardizing the habitual drunkard's tenure of liberty, its object is to guarantee that liberty by every means consistent with his proper treatment, and to rescue him from what I shall show to be his frequent fate, under the present law—from illegal and indefinite detention in a lunatic asylum. I need hardly remind the House that the honour of bringing this subject before the country, and before Parliament, is due entirely to Mr. Donald Dalrymple, the late Member for Bath, who was so deeply impressed with its importance, that he devoted all his abilities and energies to the advancement of the question, and whose premature death was accelerated by fever contracted during his travels in America in search of information on the subject. Eight years ago, Mr. Dalrymple first brought the subject before this House in the form of a Resolution, and in 1871, he introduced the first Bill dealing with the habitual drunkard. Government so far countenanced his proposal as to refer the whole question to a Select Committee, which sat in 1872, and took evidence at very great length on the subject. That Committee wound up by framing a Report in which it warmly supported Mr. Dalrymple's views. In 1878, Mr. Dalrymple drew up a Bill, in which he embodied the views of the Committee; but, unfortunately, he never had an opportunity of bringing that Bill before the House for discussion, and before another year he had ceased to be numbered among the living. Under ordinary circumstances, his death would have shelved the matter; but it was one in which such widespread interest was felt, that it could not be allowed to drop. An Association was formed for the purpose of promoting legislation on the subject, and in the list of office-bearers of that Association are to be found the names of some of the most distinguished men of the day. In 1875, a deputation waited on the Home Secretary, for the purpose of urging on the Government the propriety of dealing with this measure themselves; but the right hon. Gentleman refused to entertain the proposal, and the result was, that either some private Member must take up the question, or that all the information which had been collected with regard to the subject by the Select Committee must be wasted, and its labours lost. Under those circumstances, I consented to take charge of the Bill, and it is thus that it is now found in my hands. The Report of the Committee which sat on the subject dealt with two separate questions. There was, first, the question of the propriety of intrusting to the managers of private inebriate institutions—institutions kept up by private enterprize or charity—that control over their patients which was necessary to enable them to detain them for such time as might be essential for their recovery. The second question was that of establishing inebriate reformatories at the public expense, to which might be consigned the habitual drunkards of our police courts and prisons. I consider the proposal of the Select Committee for the establishment of these inebriate reformatories to be a very valuable one, and I believe, in the long run, it would prove economical. I believe, in the end, the State would save much money by treating drunkards in these institutions, where they would be compelled to work for their own maintenance, as compared to what it now spends on their maintenance in prisons, in workhouses, and in lunatic asylums. But the fact remains obvious that these institutions could not, in the first place, be erected or maintained without subvention from the public funds; and there is also this equally obvious fact—that in this House there are a number of Gentlemen who are very jealous—and rightly so—of any proposal which tends to increase the public rates. Therefore, it appears to me to be hopeless to try to get a Bill passed embodying such a proposal without evoking a number of arguments on what is really a side-issue as to expense, &c.; and doubtless, also, that side-issue would raise such an amount of hostility as would prove fatal to the Bill. Under these circumstances, I have deemed it advisable in the meantime to throw over the proposals of the Committee on that particular point, and to restrict the Bill simply to that class of institutions which may be maintained without any expense to the public funds. I do this the more readily, because the experiment of dealing with the habitual drunkard of the police court, prison, and workhouse in State institutions has never been tried on such an extended scale as to justify its being forced, without further inquiry, upon this country. In the statistics of American experience on the matter which came before the Committee, I find that out of nearly 6,000 cases, only 214 were those of persons sent into inebriate asylums at the instance of the State. Having thrown overboard, then, this provision of the Bill, I am relieved from the necessity of troubling the House with any statistics with regard to the general drunkenness of the country, or the present cost of maintaining those habitual drunkards who gravitate between the public-house, the police court, and the gutter. The Bill only deals with them in so far as it offers them a hope of rescue which they do not now possess, through the instrumentality of those charitable organizations which might pay for the maintenance of such habitual drunkards as chose to put themselves under restraint. The institutions with which I propose to deal under this Bill are institutions to be supported solely by private enterprize or charity. They are no phantoms to be called into existence by the passing of this Bill. I have here, in Mr. Alford's pamphlet on dipsomania, a list of some 10 which exist in different parts of the country. I have, besides, received another list, which contains, in addition to those 10, several more; and I understand these lists are by no means exhaustive. In fact, at the present moment, such institutions can be established by any person anywhere. They are subject to no restrictions and no control; they have no licences, and are not inspected. But, on the other hand, they have no power given them of controlling their patients. The consequence is, that they work at a very great disadvantage; that in some cases of habitual drunkards the law is actually violated, and in other cases the restraint necessary for their reclamation is found impossible. Now, all that I consider essential in this Bill —all that I ask the House to affirm by assenting to its second reading is, on the one hand, that these retreats should be licensed and inspected and placed under such control as will prevent any violation of the law; and, on the other hand, that power shall be given, under every safeguard against abuse, for the detention of their patients, for such time as may be requisite for the restoration of what I may call their organic health. The Select Committee on the subject, after taking a vast amount of evidence, summed up the information laid before them in their Report, from which I shall read a few extracts. They found—

> "That confirmed habitual drunkenness soon passes into the condition of a disease uncontrollable by the individual, unless under some restraining influence; that self-control is suspended or annihilated, moral obligations disregarded, and the individual obeys only an overwhelming craving for the stimulant, to which everything is sacrificed."

In support of the proposition that habitual drunkenness passes into a condition of disease, they found that that disease, if treated on this theory, was susceptible of cure. They say—

> "The average number of cures is stated to be from 33 to 40 per cent of the admissions; this percentage being based on subsequent inquiry, from which the cures appear to be as complete and permanent as in any other form of disease, mental or physical."

They go on to say that—

> "The fact that the proportion of cures is not greater is to be ascribed to the want of power to induce, or compel, a patient to submit to treatment for a proper period."

And they state—

> "That that power is asked for by everyone who has had, and who still has, charge of these institutions, and, without such power, it appears that the results must be imperfect, disappointing, and inadequate to the efforts made."

They, therefore, proceed to recommend that institutions—

> "Sanataria or reformatories, should be established—first, for those who are able, out of their own resources, or those of their relations, to pay for their cost of residence; and, secondly, for those who are unable to contribute to their maintenance—or who can contribute only partially —institutions which must be established in the first case, at all events, at the cost of the State."

Having decided to throw over the latter proposition of the Committee, I need not enter on the question of reformatories provided by the State; but, so far as the self-supporting institutions are concerned, the Bill now before the House follows closely the lines laid down in that Report. There are two classes of persons who are to be dealt with in such retreats. First, there are voluntary patients, and then there are those patients proposed to be committed to them at the instance of their friends. Now, a very important fact should be noted by the House in connection with these voluntary patients.

Experience has shown that they constitute the great mass of the habitual drunkards with whom we should be called upon to deal. Of the 6,000 American cases, the results of which were laid before the Committee, 94 per cent were voluntary. It must not be forgotten that voluntary patients are themselves of two classes. There are those who go into these institutions of their own free will—those who would go anywhere, and do anything to get themselves reclaimed, and who are only too anxious to be restrained from that which has brought about their ruin. But there is besides a very large and important class, the existence of which we must not forget. There is the dependent class of habitual drunkards, a class on whom their relations and friends can exert a very strong and perfectly legitimate pressure. A father, for example, may say to his son, who is an habitual drunkard—"Unless you choose to go into one of these retreats and really make an effort for your own reclamation, you may starve; I will have nothing more to do with you." The fact that a large number of such dependent cases exists, no doubt, has some influence on the very large percentage of voluntary cases presented in the experience which we have hitherto had of the treatment of habitual drunkards. In the American experience they constituted, as I have said, 94 per cent of the entire number of cases dealt with, and they constitute the entire number of the persons dealt with in our British institutions. Well, Sir, what the Bill proposes to do in the cases of voluntary patients is this—that the habitual drunkard shall go before a magistrate and sign an undertaking to remain in an inebriate asylum for a definite period. The magistrate, after satisfying himself that the drunkard understands the effect of the undertaking, countersigns the document; and the effect of this proceeding is that the man is no longer a free agent, but is legally liable to the restraint to which he has voluntarily submitted. The second class of cases is that of persons placed under restraint by their friends. The friend or relative of the drunkard goes to the magistrate and asks for a summons. The magistrate grants a summons, which requires the drunkard to appear before the Court of Petty Session. If the person chooses, he can have his case heard by that court, and in that case he has a right of appeal; but he can also have his case heard before a jury; and, in either case, if he desires it, or if the magistrates think it desirable, the evidence can be heard in private. We are anxious that every safeguard should be provided against the abuse of the power, which we propose should be given under this provision. Well, in the first place, if the case seems an improper one, the proprietor of the retreat is empowered to grant liberation with the concurrence of two justices of the peace; and it must be remembered that under the Bill, the proprietor will be dependent for the renewal of his licence on the approbation of the magistracy. Again, a patient may appeal to a Judge of the High Court of Justice, or to the Judge of the County Court of the district in which the institution in question exists, and these Judges may order an inquiry to be made, and a report presented, and upon that report, if they think fit, may order the man to be set at liberty. Again, the patient may appeal to an Inspector provided under the Bill, and that officer may make representations to the Secretary of State, who may order the liberation of any patient. I believe that under these provisions there would not be the smallest danger to the liberty of the subject; indeed, as I shall show, there would be much less danger than at present exists. But, at any rate, I do not personally attach any very great importance to them. The proportion of cases admitted to the American institutions, where a similar provision exists, has been very small, only some 2 per cent of the 6,000 cases having been committed at the instance of friends. I should not care to retain the power at all, were it not that besides dealing with a class of cases which the other provisions of the Bill are powerless to meet, the knowledge that such powers existed would, in many instances, turn the scale in favour of voluntary submission in the case of dipsomaniacs who could not quite make up their minds to enter a retreat. I have, however, no wish to conceal the fact that the clauses authorizing committals at the instance of friends are those which are open to most question. I may, therefore, at once explain that I do not consider them an essential to the Bill; and if Government would grant the powers we ask for in the case of voluntary patients, would willingly compound with them by leaving the involuntary ones to be dealt with when our experience has been ripened. The evidence laid before the Select Committee showed that there was a very close analogy between habitual drunkenness and various forms of mental disease. I do not mean to say that ordinary drunkenness bears any relation, psychologically speaking, to insanity. All I contend for is, that after an habitual excessive indulgence in stimulants—longer in one case, shorter in another—certain structural changes occur in the tissues of the brain and nervous system, as well as in those of other organs. These structural changes are the direct result of the prolonged circulation of contaminated blood through the system, and they are quite as appreciable as those to be found in many cases of mental unsoundness. The result is two-fold—a state of vital depression, manifesting itself in an urgent craving for stimulants; and, secondly, a weakened will and perverted intellect, that render the unhappy victim totally unable to resist the craving by which he is beset. Now, what I maintain upon this point is not any abstruse theory unintelligible to all but the physician and the psychologist. It is a doctrine of the simplest nature, the bearings of which anyone can understand. The vitiation of the blood resulting from habitual drunkenness is so great, that it produces in some organs—the kidneys and liver, for example—changes of so gross and palpable a nature, that the veriest tyro can recognize them. Such being the case, is it demanding too much to ask the House to admit that the delicate tissues of the brain and nervous system, drawing their nutrition from such a polluted source, cannot escape structural degradation and disease? Why, Dr. Forbes Winslow, in his evidence before the Committee, said—

> "You can actually distil alcohol from the brain of a chronic drunkard, and, in some cases, on examination after death, if you apply a light to the fluid in the ventricles of the brain, it ignites into a flame."

Dr. Forbes Winslow admitted that he had never met with a case of that sort in his own experience; but he quoted some German medical writer as his authority. I must, however, confess that I regarded the assertion with considerable incredulity, until I found a much more startling story recorded on the authority of Sir William Gull, in a case he had himself witnessed. In his evidence before the Lords' Committee on Intemperance, Sir William Gull said—

> "I can mention what I saw myself in the case of one of Messrs. Barclay and Perkins's draymen. A man was admitted into the hospital suffering from heart disease (brought on by hard drinking). He soon died, and the day after his death he was so distended with gas in all directions that he was quite a curious sight. A number of punctures were made in his skin, and on the gas being tested, it was found to be carburetted hydrogen, upon which a light was applied, and the consequence was that 15 or 16 jets of gas were set burning all over his body till the gas was exhausted."

Well, it is clear that in treating habitual drunkards on this theory, you must not only allow a man to get sober, but you must allow him time to recover from the structural changes which his previous habits have wrought upon the tissues of his brain and other organs. The evidence given by experts before the Committee entirely bore out the statement made in their Report, as to the connection between habitual drunkenness and a diseased condition of the system, and that evidence was in perfect accord with the general medical opinion on the subject. I hold a Memorial in my hand, which I have already alluded to as having been presented to the Home Secretary, in which it is stated—

> "That habitual drunkenness is a disease closely approximated in a great number of cases to insanity, and susceptible of successful treatment."

And this Memorial is signed by such men as Sir George Burrows, Sir Thomas Watson, Sir William Fergusson, Sir Henry Thompson, Sir William Gull, Dr. Acland, Dr. Quain, Mr. Spencer Wells, Sir Robert Christison, and many other names of the greatest eminence in the Medical Profession; while the British Medical Association, which comprises the majority of the medical practitioners in this country, have over and over again passed resolutions in which the same doctrine is affirmed. I do not mean to go elaborately into the question as to whether dipsomania is a disease or a vice. To do so would require one to discuss the relations of vice and disease, and the re-actions of the one upon the other in a manner far too technical for this occasion. I may, however, mention a few points as illustrating the connection between habitual drunkenness and insanity. In the first place, the Committee sum up the evidence given before them on this point by stating that it showed that 20 per cent of the cases of English lunacy and 14 per cent of the cases of American lunacy were due to habitual drunkenness; and this statement is borne out by what we find in the last Report of the Lunacy Commission, to the effect that drunkenness is the most prolific cause of insanity, and directly responsible for 15 per cent of the entire number of lunatics in the asylums of England and Wales. The next most frequent cause of lunacy is hereditary tendency, and many cases were given before the Committee in which, in families where there was an hereditary tendency to lunacy, habitual drunkenness had also been hereditary. Another fact, which bears out the theory that structural change in the nervous system may cause inveterate drunkenness, is this—that a man, who has hitherto been sober and steady, may suddenly become drunken after receiving a blow or a wound on the head, or a sun stroke. Another curious fact is the monomaniacal character of the offences committed by some of these habitual drunkards when in their cups. Upon this point, Dr. Peddie, of Edinburgh, gave some curious evidence with which he had been furnished by Sheriff Barclay, of Perth. For instance—

> "From the year 1844 to the year 1865, one woman was committed to prison 137 times for being drunk, and when drunk her invariable practice was to smash windows. That woman drowned herself, when intoxicated, in 1865. Then, again, there was a curious instance of a man who when drunk stole nothing but bibles; he was an old soldier, wounded in the head. When drunk, the objects of theft were always bibles, and he was transported for the seventh act of bible stealing. Then, another man stole nothing but spades, a woman stole nothing but shoes, another nothing but shawls; and there was a curious case, where a man named Grubb was transported for the seventh act of stealing a tub. There was nothing in his line of life, and nothing in his prospects, no motive to make him especially desire tubs; but so it was, that when he stole, it was always—excepting on one occasion—a tub."

Another very noteworthy fact is, that many cases of what is at present recognized as undoubted lunacy are associated with habitual drunkenness. In these cases, what takes place is this—A man who goes mad from drink is committed as a lunatic; being deprived of the drink he speedily recovers; once at liberty, he takes to drink again, and is again committed when out of his senses. He thus alternates between freedom and liberty and madness and sanity, until those who are connected with the case refuse any longer to consider him as cured when he is merely freed from delusions, and he is subjected to prolonged detention in a lunatic asylum. This, I believe, is illegal; but it shows that those who take care of these cases look for their cure in the same direction as we do who support this Bill. Officials, also, who are above theories, regard habitual drunkenness in the same light. When the Criminal Lunatics Amendment Bill was before Parliament, the Scotch Commissioners of Lunacy proposed to introduce in it a clause empowering the Sheriff in cases where insanity had been the result of drink to order the detention of a person for 12 months after his apparent recovery. That seems to me to show in the most conclusive manner that they believed the lunacy depended on the diseased condition of the system, and that it required a prolonged season of abstinence from drink to subdue the morbid craving, and restore the body to its normal tone. All I ask is for this House to grant the power to apply a rational remedy to a diseased condition of the system, which is as distinct as that resulting from lead poisoning, ergotism, or poisoning by phosphorus, a condition of which the President of the Midland Branch of the British Medical Association said a few years ago that its treatment, symptoms, and diagnosis were as clearly marked and as well understood as those of pneumonia. You will be told that what is proposed in this Bill is very novel and very startling, but it is neither the one nor the other. The system of inebriate asylums is one quite well known in Great Britain. There are numerous institutions of the kind in existence. Queensberry House of Refuge, in Edinburgh, has existed since 1832; Queensberry Lodge there, since 1866. Several similar institutions exist in London, and a number more throughout the country. What we propose, therefore, is not to introduce any new institutions into the country, but to regulate and utilize a class of institutions which at present exist, and the number of which would certainly largely increase if the Bill now before the House became law. For the point in which these institutions break down is their want of power compulsorily to detain their inmates. The consequence is, that although an habitual drunkard, in deference to the persuasions or compulsion of his friends, may enter one of these retreats, at the moment when he has most need of restraint—at the moment when restraint, by tiding him over a critical period of his progress towards health, is most required — he finds that it is wanting, the craving seizes him, and he goes out. To show the want which is experienced for institutions of this kind, I may quote two statements made before the Intemperance Committee of the House of Lords. The Rev. Mr. Grier, who was connected with an establishment at Kennington, stated that there been had 410 applications for admission into that establishment in 10 months. The Rev. Canon Ellison informed the Committee that he was connected with an inebriates' asylum for females on the other side of the water, and that, during the first nine months during which that institution was opened, there were no fewer than 547 applications for admission. I say that there are a number of these institutions at present in existence, but they have never had a fair trial. The point when they are most necessary is when the patient feels the craving for drink coming upon him. That is precisely the point when it is most requisite that he should be restrained. But he at present finds that no restraint can be put upon him, he walks off, and everything that has been done up to that point is undone. Precisely the same thing has occurred in connection with the American institutions. Although many of the States of the Union have passed laws which enable patients to be detained in these institutions for a given time, it has been held that those State laws are unconstitutional —that they are contrary to the tenour of the Constitution of the United States themselves, and, in consequence, they have never been put in force. Notwithstanding this, a large number of permanent cures have resulted even from this imperfect treatment, the proportion averaging, as we have seen, from 33 to 40 per cent. The only statistics that I am aware of that were laid before the Committee on this point relating to this country were those of Queensberry Lodge, Edinburgh. In that institution 111 cases had been treated, and there the number of cures reported were 37, or 33 per cent. There is one very important fact in connection with these cures which ought not to be lost sight of. A man is said to be cured of insanity when he has got rid of his delusions, and is sufficiently recovered to be dismissed; but in these statistics of cures of habitual drunkards, that system has not been adopted. The greatest possible care has been taken to eliminate from them those cases in which the cure has been only temporary. I shall be told, I have no doubt, that the evidence which was laid before the Committee on this point was false and illusory, and that the American institutions had turned out a failure. Assertions of this character have been made on the authority of Dr. Bucknill, a gentleman who is, I believe, one of the Lord Chancellor's Visitors in Lunacy. That gentleman visited America in 1875, and when he came back, he wrote several papers, the object of which was to deprecate any special legislation for the habitual drunkards. Luckily, the style of his writings showed that he was intensely prejudiced upon the subject. In an article on the subject in *The Contemporary Review* for February, 1877, for example, he expresses himself as out of patience with the maudlin sentiment which has been written about the habitual drunkard. I do not think that I can be accused of indulging in any maudlin sentiment on his behalf. Well, Dr. Bucknill goes on to say that the best thing that can happen to the habitual drunkard is that he should ruin himself, so that his property should pass into worthier hands, and that he should kill himself and cease to be a nuisance to the world. He expresses his regret that alcohol is not the deadly poison that the hon. Baronet the Member for Carlisle (Sir Wilfrid Lawson) represents it to be, because, if it were, it would the sooner enable the world to be free of that pest. He congratulates France upon the invention of absinthe, and America upon the vileness of its whisky, which enables them to get rid of their drunkards so much the quicker than our milder English drinks. I mention these expressions simply for the purpose of showing the prejudiced vein in which Dr. Bucknill approached the subject. Coming, however, to matters of fact, Dr. Bucknill says—

> "The State Inebriate Asylum at Media has been suppressed because it was said to be a failure. The New York Inebriate Asylum in Ward's Island had been ordered to be suppressed for the same reason. At Binghampton Dr. Dodge had left, and Dr. Congdon was carrying on his work with no better success;"

and, further on, he says the only institution in which he did find good, honest, earnest work being done was the Inebriate Reformatory at Philadelphia. He continues—

> "Elsewhere I saw and heard nothing to show that any earnest effort was being made to change the habits of the inmates; or that the so-called institutions were anything more or better than boarding-houses, within the walls of which the open consumption of strong drink was discountenanced; 'capital places to pick up in after a debauch,' as more than one inmate told me, 'but good for nothing else.'"

But when these statements went out to America, they met with the most emphatic refutation. Dr. Parish published a letter in reply, in which he, in the first place, shows that his asylum, mentioned by Dr. Bucknill, never was a State asylum, and next, that it was not unsuccessful, because it had cured 33 per cent of the inmates. But the institution was established in the expectation of obtaining a subsidy from the State, and that subsidy not being forthcoming, its directors determined on closing it. But to show that the Medical Profession in America, at the time of Dr. Bucknill's visit there, still entertained their old views regarding these asylums, he quotes a resolution passed in 1876 by the American Medical Association, actually recommending each commonwealth to establish and maintain public institutions for the reclamatian of inebriates. Again, Dr. Day, of the Inebriate Washingtonian Home, Boston, writes—

> "All Dr. Bucknill's statements in regard to inebriate asylums in this country are founded on the most shallow and limited information; it seems that he visited only those asylums that have failed, and I claim that none that have failed have been properly conducted."

He continues—

> "Why did he not visit some of those asylums that have succeeded, such as the one over which I preside, which has been in operation nearly 20 years? I would have shown him scores of reformed drunkards who have been perfectly sober from five to 20 years. Why did he not visit the Washingtonian Home in Chicago (a child of ours), an institution highly successful?"

I may say that Dr. Bucknill only visited six asylums in America. I have several other replies to his assertions here, with which I will not trouble the House; but there is one that I must read from Dr. Crother, of the Binghampton Asylum, of which Dr. Bucknill speaks so disparagingly. Dr. J. D. Crother, of that asylum, states that—

> "Our asylum has more than fulfilled the wildest dreams of its most enthusiastic supporters."

They had more applications for admission than it could accommodate; and he goes on to say—

> "Last year a careful examination was instituted into the history of patients who had been here for treatment over five years ago. Letters were addressed to their friends inquiring into their present condition, and the answers returned revealed the startling fact that over 60 per cent who were under treatment here for four or five months were sober and continued reformed men. In many cases the cure has been of much longer duration."

Dr. Bucknill states that a change of public opinion had taken place on the subject. To refute this, the Rev. J. Willett, in a letter written in December, 1876, replies—

> "The New York State Legislature is constantly enlarging the power of inebriate asylums, even as late as June, 1875 (when Dr. Bucknill was in America), giving a grant of 12 per cent on the excise money for licences, and the grant was passed without any serious opposition by the Reform and Taxpayers' Association."

I think, therefore, that we may take it as having been very satisfactorily established that no change has come over opinion on the subject so far as America is concerned, and that ample refutation has been given to Dr. Bucknill's statements regarding it. The chief objections to this Bill have been raised to those clauses which propose to allow habitual drunkards to be committed to inebriate retreats at the instance of their friends. This would, it is said, be worked for the purpose of enabling any husband or wife who is troubled with a tippling partner to get rid of him or her by consignment to an inebriate asylum. Such an objection could only be raised by a person who has never read the Bill; but, as I am afraid that the majority of Members in this House who vote upon Bills do not take the trouble to read them, I may as well explain that under the Bill such a danger is out of the question. In the first place, the

Bill does not propose to deal with mere tipplers or occasional drunkards. It proposes to deal only with habitual drunkards; an habitual drunkard being, as defined by the Bill—

> "A person who by reason of habitual intemperate drinking of intoxicating liquor is dangerous to himself or to others, or incapable of managing himself and his affairs."

A justice of the peace may, upon the application of the husband, wife, relation, or friend of such a person, order him to appear before the Court of Petty Sessions to show cause why he should not be placed in a retreat under the Act. The accused is allowed a jury if he chooses to demand one. Contrast that with a case of a committal by a lunacy certificate, which may be accomplished in a back room by two medical practitioners; and can any man in his senses maintain that if a husband wished to get rid of a tippling wife, or a wife wished to get rid of an objectionable husband, they would try this Bill when the method which I have just referred to was still available? But suppose they do. A man is committed, and writes to his friends, who will see into the matter. If a man is put into an asylum as a lunatic upon the certificates of two medical men, he also writes to his friends, but his friends do not believe him; they think he is raving. He is in a far worse position than the habitual drunkard would be. It is, sometimes, the most difficult thing in the world to get a lunatic out of a lunatic asylum. I have seen a man myself detained for three or four months in a lunatic asylum, after everyone connected with him, medical officers of the asylum included, was anxious for his liberation. I say, therefore, that to object to the compulsory clauses of the Bill so long as one acquiesces in the present Lunacy Laws, is to strain at a gnat and swallow a camel. This Bill, however, is simply a tentative measure, and as I wish for something to be done, I am quite prepared to sacrifice the compulsory clauses altogether. I have already occupied a considerable time, or I might show that a large number of habitual drunkards are at present confined in lunatic asylums. I have evidence upon this point; but I will only quote one witness, and he is a witness whom the House will listen to with very great respect, and to whose opinion the hon. Gentlemen, whom I see on the Treasury Bench, will pay particular attention—I refer to the right hon. Gentleman the Secretary of State for the Home Department. That right hon. Gentleman, as I said before, received a deputation on the subject in 1875, and in replying to that deputation, the right hon. Gentleman said—

> "As an old visitor myself of lunatic asylums, I have seen many of these cases treated as cases of lunacy with very beneficial results."

The Home Secretary then went on to tell of a case in which one poor man stayed in a lunatic asylum for years, by the advice of his friends; because, if he had been released, he would have relapsed into his former habits. I have spoken at such length that I hardly like to touch upon a subject of some importance, and that is, the evil influence which the presence of these habitual drunkards exercises upon the proper inmates of lunatic asylums. There was evidence given before the Select Committee to show the very great evil which they constitute in lunatic asylums, and from the letter of Dr. Parish, to which I have referred, I find that a resolution was recently passed by the American Association of Superintendents of Lunatic Asylums affirming the same thing. There is, therefore, good ground for objecting to the admission of habitual drunkards into lunatic asylums, and under the present law it is illegal. Well, all that I want is that power should be given to do, openly and above board, after proper evidence, on the motion of a competent court, with the maximum of benefit to the patient and the minimum amount of annoyance to other people, what at the present moment is done under the Lunacy Laws illegally, with the minimum amount of benefit to the patient, and with the maximum amount of annoyance to everyone brought into contact with him. I have the high authority of Dr. Forbes Winslow for stating that if these inebriate institutions were properly worked they would have the effect of very much diminishing the amount of drunken insanity which is to be found in Lunatic Asylums at present. I confess to have been somewhat astonished that, even after I had expressed my willingness to drop the compulsory clauses in this Bill, I have had the bugbear of the liberty of the subject thrown at my head. I have been told that it is a breach of the liberty of the subject to allow a man to contract to undergo any detention—that it is a breach of the liberty of the subject to recognize any such contract. I deny that. I say that we have analogous cases which point to exactly an opposite conclusion. Take, for instance, the case of a surgical operation. Hon. Members are probably aware that in the eye of the law a surgical operation is neither more nor less than an assault. Yet if a man chooses to submit to a surgical operation, or his friends give consent on his behalf when he is not in a condition to give his own consent, there is not a judge in the land who would hold that that man had a right to bring an action for an assault. If there was anything wrong in the operation, he may bring an action for malpractice; but it would be preposterous to assert that he could bring an action for an assault. Well, there is a legal doggerel, which was once quoted by the right hon. Gentleman the Home Secretary in this House, which lays down what is the law in ordinary cases of assault—

> "A man a beating underwent,
> With his own sanction and consent;
> Court held, and so 'tis understood,
> The sanction void, the beating good."

In other words, the law will not recognize any contract on the part of a man who, for a mere whim, submits to an assault; but the law does recognize the right of a man, for the sake of saving his life, or for the benefit of his health, to submit to an operation which is neither more nor less than an assault. Again, a very similar provision of the law is actually on the Statute Book in the case of the Contagious Diseases Act, under which, in "protected districts," females who enter a Lock Hospital may be detained there until cured. As I have said, I believe that many habitual drunkards are illegally detained in lunatic asylums. I shall show now that in existing inebriate institutions the liberty of the subject is already violated. Evidence upon this point was given before the Committee. Mr. Mould, for example, the superintendent of an asylum in Cheshire, said that he had had considerable experience in dealing with inebriate patients. During the course of 10 years he had had no less than 120 voluntary cases through his hands. His plan was this—He exacted from the patients and their friends bonds of indemnity for any steps that he might think proper to take in connection with their treatment. If they proved refractory, "he locked them up, just the same as an ordinary patient, and put them in seclusion." Passing by several other cases, let us take that of a most deserving institution, under the direct patronage of the municipal authorities of Edinburgh—Queensberry House of Refuge, to which I have already alluded. At that institution they had 250 inebriate boarders, and of these 100 were the wives and daughters of tradesmen, whose friends had sent them there. Mr. Nelson, the superintendent of that institution, gave evidence before the Committee, and explained that the inmates were allowed out at stated intervals. Being asked how they were managed, Mr. Nelson told the Committee that the friends were in the majority of cases coarse, practical men; and that if, when they were allowed out, they went home, their husbands or fathers would kick them down stairs. If when allowed out they returned the worse for drink, they were punished by being deprived of liberty for a month; and if they fell into the hands of the police, or were guilty of scandalous conduct, they were deprived of liberty for two months. There is just one other fact in connection with the Queensberry Institution which I deem worthy of mention, and that is that the patients are sent there by the magistrates illegally, though I do not imagine that the people know that the act is illegal. In his evidence before the Committee which sat in 1872, Mr. Nelson, the superintendent and manager of the Queensberry Institution, said—

> "In cases where drunken women were demoralizing their families, keeping them all in wretchedness, pawning their clothes, keeping their husbands from sleep, having no food ready for them, and everything abused, I advise these parties to commit the wife to the police, to make the case known to the superintendent of police, in order that it might be laid before the magistrates next day. They, on hearing it, did not wish to bring scandal upon the family by sending the mother to prison; but they gave her the option of going to prison or of coming to us. These persons invariably choose to come to us, and when sent by a magistrate in that way (be-

cause they were brought to me by a constable) they were perfectly resigned and calm the whole time of their incarceration."

I think that shows the truth of what I asserted at the outset, that if you give us the voluntary provisions you will enable us by means of these retreats or local institutions to deal even with the habitual drunkards of the police court. I regard this question as an eminently practical question. I have given no statistics with respect to intemperance; because, as I have said before, I do not propose to cure intemperance by this Bill. I have not tried to work upon the sympathies of the House, because I do not wish to dip my hands into the pockets of the nation; but I have received amongst numerous letters on the subject one so touching that I shall conclude what I have to say by reading an extract from it to the House. The writer is a man in humble life. For 27 years he had been in a Scottish regiment, and left it as a non-commissioned officer, with a pension of 1*s.* 8*d.* a-day, a medal, and a gratuity. In 1866 he married, and in order that he might bring up his family more respectably, he became a teetotaller. He says—

"Unfortunately for me and my children, my wife seems to have begun drinking from that date, and has gone on from month to month, and from year to year, gradually becoming worse, until she has almost killed herself, ruined me, and become an object of disgust to her own children. I have done all that lay in my power to cure her, but of no avail. I have knelt at her bedside with the children, and begged and prayed her to leave off taking the cursed stuff that was killing both body and soul. I have made her swear over the dead bodies of our children in succession (for we have lost five out of the nine) to abstain from taking that deadly poison, and at each death she has promised me to leave it alone; but the first opportunity she begins again. Several times she has had narrow escapes of killing herself by falling into the fire or downstairs. It is very hard, and a sad thing for me, to be forced to bear this life, for the law can do nothing for me. My firm belief, Sir, is that if there were places to put unfortunates like my wife in confinement, where it would be impossible for them to get liquor, and where they could reflect on the sin of the life they had been leading, thousands of starving families might be saved from utter destruction. I do not say that all the unfortunate beings could be cured of their dreadful habit, but a great many would; and I firmly believe that my wife would be one of the saved. She has struggled hard, I know, to overcome the evil; but it has got the mastery of her, and nothing short of confinement will ever cure her. It has gone so far that she beats her children when I am not there if they will not go for drink. She has taken the clothes off their backs and the shoes off their feet to take to the pawnshop for money to obtain drink with. She has forced the locks of the drawers and boxes, and taken all we had to pawn for drink. For eight long weary years this has been going on, and for my children's sake I've hid it from the world. I have written often to her people, and explained her conduct to them. They tell me to put her away from me; but where am I to put her? But I must do something, for I begin to be frightened for myself. I fear that my passion may get beyond my control, and injure her. Such was the case last night, when I came home and found she had been beating the youngest child, because the little thing (six years old) would not go for beer for her. I have desired the children never to go for it, and they are very glad, for they all belong to the Band of Hope School. And what will be their future, with the terrible example their mother sets before them daily? She is now lying drunk in bed, while her poor children clean the house. Is not this enough to make me commit a crime such as we read of in the newspapers? I am not an educated man. I have not said all I should have liked; but I could not bring my pride to ask someone more competent. I pray fervently that you will get your Bill passed."

If I were to speak for another hour I could add nothing to the touching pathos of that letter; so, without further words, Mr. Speaker, I beg to move the second reading of the Bill.

MR. CLARE READ seconded the Motion.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Dr. Cameron.*)

MR. PEASE desired to commence a few remarks in support of the Bill by recognizing the efforts in this direction that were made by the late Mr. Dalrymple, whom he had the honour of assisting in bringing in a similar measure. The proposition was new to this country, and the principal question seemed to be whether, in passing this as a tentative measure, they should remain satisfied for the present with the voluntary clauses. For himself, he should not have the slightest hesitation in supporting the compulsory clauses; but it might be expedient at first to make some concession to natural jealousy for the liberty of the subject, and he therefore thought the hon. Member for Glasgow (Dr. Cameron) had done wisely for the present, to rely upon the voluntary principle which the Bill contained. The medical evidence was strongly in favour of the proposal, and the Bill as brought in might well go to Committee, whether the compulsory clauses were agreed to or not. The necessity for some such measure was unquestionable, and he trusted that Her Majesty's Government would assent to its second reading as a tentative measure, and refer it to Committee, where due precautions would be taken for the liberty of the subject. He hoped there would be an anxious desire to try the experiment, so that benefits might be conferred on many persons who now suffered from the inebriety of the head of the house. The evils resulting from drink could only be dealt with now by the sufferers being probably placed in gaols or lunatic asylums, and it would be a great improvement in the law if such institutions as those proposed by the Bill could be established.

EARL PERCY thought the hon. Member for Glasgow (Dr. Cameron) had exercised a wise discretion in eliminating from the Bill a great deal of what former measures which had been brought before Parliament contained. For himself, he was unable to support Mr. Dalrymple's Bill in the last Parliament on that account, and he regretted last year to find that the hon. Member for Glasgow introduced his Bill with similar provisions. It was as yet far too early to ask local bodies to take charge of institutions of the character which it was proposed to establish. The measure was a tentative one, and one that was extremely desirable; but they must prove, in the first instance, that the principles which they believed would effect so much good for the unfortunate persons whom it was proposed to deal with were really sound in themselves. The main object he had in supporting a Bill of this description was to obtain power to confine an habitual drunkard with his own consent for a period not exceeding a year, and he believed—and the statement that 94 per cent of the persons confined in American asylums went there voluntarily confirmed him in his belief—that they would effect far greater good in that way than might be expected from so small a measure. He was glad that the hon. Member for Glasgow was prepared to strike out the compulsory clauses of the Bill. He was so certain that the other portion which he had just mentioned was so important, that he should be willing to give up almost anything to gain this one point. He spoke on this subject with some knowledge, as he and some friends had joined together in attempting to institute a retreat of this kind, and he was sure that success would follow some measure of this description. He was afraid, however, that it would not touch sufficiently people without means. It was impossible, in many cases it was hopeless, where strong personal influence could not be brought to bear, without some legislation, to effect any good commensurate with the large expense which institutions for the treatment of these cases required. The blot in the Bill, to his mind, was that it did not meet the case of the habitual drunkards in the lower classes of life, who were not able to pay, and the one difficulty in the matter was that of the expense. He would suggest that the hon. Member should go a step further in this direction, and insert a clause by which the expenses of inspection might be met partly out of the Exchequer and partly out of the fees paid for the licences of these retreats. By that means he thought all the opposition to the Bill would be removed on the score of the expense of the inspection of these institutions being paid by the country. There would then be a good prospect of not only passing the Bill into Committee, but passing it into law during the present Session.

MR. EVELYN ASHLEY gave his support to the Bill. The great difficulty to be encountered was, of course, in the coercive part of the Bill; but as the consensus of medical opinion was that physical coercion was necessary, he thought the bugbear of personal liberty should not be allowed to stand in the way. They already had the principle of coercion admitted by the Contagious Diseases Acts, and there ought to be no hesitation in extending it in the case of this disease. At the same time, he thought the hon. Member for Glasgow (Dr. Cameron) had acted wisely in abandoning the compulsory clauses, which might have met with some opposition. Three months ago he visited one of these institutions, and he asked how could the managers of the place tell when people were cured? The answer was that the condition of the tissues of the hand showed whether the persons were for the time cured or not. The inordinate desire for drink was undoubtedly a disease which was distinct from crime. It was an irresistible impulse arising from the state of the body. Such a person, however, was a nuisance to the neighbourhood in which he lived, destructive to his family, and dangerous to himself, and, as they had heard, might be provocative of crime. If that was the case—and he had no doubt that it was—then he saw no objection in going to the extreme and using coercion by way of remedy. Legal power should be given to detain habitual drunkards so long as it was necessary for the purposes of cure, and that time must depend upon the circumstances of each case. The experiment in this direction in the United States showed that more than three-fourths of such people came into the retreats voluntarily. With regard to those who could not pay the expense, if the scheme worked well there would be plenty of voluntary contributions to be obtained. He would point out to the noble Earl (Earl Percy) that these institutions could be made self-supporting, and he knew of one case in which the work of the inmates, who were females, went a long way towards paying the cost. As to men, drunkards were often the best workmen in their sober moments. He believed that there was a strong feeling abroad that something should be done in this matter, and he therefore welcomed the Bill.

Mr. GRANTHAM said, that the House seemed generally in favour of some such Bill as that now before it; but the great difficulty which seemed to prejudice the Government against it was the question of expense. It seemed to him that could easily be met by charging a higher licence fee. The only fee mentioned in the Bill was one of 10*s.* for the licence, to be paid to the clerk of the peace for his trouble in making it out. At present, private lunatic asylums paid a capitation fee of 10*s.* per head for each patient received by them, and the same thing might be done with respect to the proposed homes, and then sufficient would be raised out of the licence fees to pay all cost of inspection. He was aware of the difficulty of dealing with the poorer classes; but he would remind the House that in the case of reformatories the parents or friends of children who were placed under some restraint, although they had not actually committed any crime, paid a certain sum of money for their support in those institutions, and establishments of a somewhat similar character might be started with reference to inebriation in the poorer classes. He thought it would be a great pity not to admit those classes to the benefit of such institutions, though he thought the middle classes and the class of tradespeople were those who required the special provisions proposed by this Bill more than the lower classes. Everything appeared to him to be dependent on the interpretation clause as to who habitual drunkards were. According to the Bill they were persons who were not criminals, but who were subject to habitual drunkenness. The Bill did not affect mere drunkenness, but it dealt with people who had passed the stage of mere occasional drunkenness. He was quite prepared to support the Bill in the full length to which it would go, and he hoped the experiment, when tried, would work so successfully as to justify the enactment of compulsory measures. In that case, he should be prepared to support them also.

Sir UGHTRED KAY-SHUTTLEWORTH said, that as to the expense, of which several hon. Members had spoken, his own impression was, that if the Bill passed, there would be considerable saving of expense to the State. It must be remembered that there were large numbers of persons in lunatic asylums who really were habitual drunkards. Such persons would not fill lunatic asylums if they could be housed in the retreats contemplated in this Bill. There were also the habitual drunkards who were repeatedly convicted by magistrates, who laid a heavy burden on the community. In his evidence before the Lords' Committee on Intemperance, Mr. Fenwick, Chief Constable of Chester, instanced the case of a man there who had been charged with drunkenness 63 times, and 30 times with assaults, &c., mainly arising from drunkenness in 20 years; had spent 10½ out of those years in prison, chiefly for drunkenness, and had cost the city between £300 and £400. This was not an exceptional case; it was a type too well known, at least in the North of England. It was very important to take cases of habitual drunkenness in time. As the drunkard became hardened in the habit, his reclamation became a longer and more difficult process. He (Sir Ughtred Kay-Shuttleworth) would suggest one or two provisions which might, he thought, be added to the legislation on the subject. He wished to call attention to the evidence given by Mr. Cole, a licensed victualler, and chairman of both the London and Home Counties Licensed Victuallers' Associations, who strongly urged on the Lords' Committee the need of a power on the part of licensed victuallers to exclude and refuse drink to habitual drunkards and disorderly persons. This he urged from a publican's point of view, explaining how a man who was sober must be served even though he had been drunk the night before, and was a known habitual drunkard, and might entangle the publican in the meshes of the law. But from the point of view of the public interest, even more than that of justice to the licensed victualler, such an alteration of the law was surely desirable. The Chief Constable of Chester went farther—perhaps farther than Parliament would be ready to go—in proposing that magistrates and the police should warn holders of licences as to known habitual drunkards, and forbid serving them with liquor under a penalty. He was at least convinced that some other treatment of habitual drunkards by magistrates than the everlasting "5*s*. and costs" was needed. In some places—Sheffield, Swansea, Chester, &c.—the system of sureties had been tried with advantage; the habitual drunkard, after repeated fines, was called on to find two sureties in £10, with 12 months' imprisonment in default, as a common disturber or breaker of the peace. This was done under the common law; but the Select Committee on Habitual Drunkards, in 1872, recommended that it would be well to sanction the practice by a new enactment, and added—

> "There is good reason for believing that such a measure would not only have much restrictive influence on the drunkard, but would bring the efforts of relatives and friends, and especially of the surety into active exercise."

He thought that in support of this Bill, the statistics laid before the Lords' Committee on Intemperance last year should be quoted. Professor Leone Levi stated that the number of habitual drunkards charged with offences had increased from 13,000 males in 1858, to 34,000 in 1875, and from 4,000 to 13,000 females —an increase of 30,000 in all, or of 70 per cent, taking the increase of population into account. He could not but agree with the suggestions contained in the evidence of Sir William Gull before that Committee, which he hoped hon. Members would read, that a better knowledge should be diffused among all classes of the people as to the real uses and widely-prevailing abuses of alcoholic drinks. Sir William Gull's opinion evidently was, that fallacies and prejudices are too common amongst them as to the necessity of alcohol as an article of food. Except after a certain age, or in certain cases, alcoholic stimulant was really not necessary for supporting a man either in mental or bodily labour. As a general rule, a young man was much better without it. He hoped they would not leave the spreading of sounder views on this subject only to teetotallers and supporters of the Bill of the hon. Member for Carlisle (Sir Wilfrid Lawson). Many were unable to join in any movement for prohibiting the sale of liquor, but all ought to endeavour to promote a better knowledge of the real physiological effects of alcohol on the system, and to remove fallacies and prejudices as to its use or necessity. Many might be saved from becoming habitual drunkards by learning to abstain from an unnecessary daily consumption of liquor. This instruction might even be begun in schools. By these means, a great deal of good might be done. He congratulated his hon. Friend the Member for Glasgow (Dr. Cameron) on the persuasive and interesting speech in which he had moved the second reading, and should heartily support his Bill, whether he restricted its scope as he proposed, or enlarged it by such additions as he (Sir Ughtred Kay-Shuttleworth) had ventured to suggest.

Mr. CLARE READ said, he was very much obliged to those advanced Liberals who, by inserting his name on the back of the Bill, had allowed him to be associated with so good a cause. Although his was the only Conservative name on the back of the Bill, yet he could assure hon. Members opposite that those who sat on the Ministerial side of the House were as desirous as themselves were to promote temperance. The feeling was by no means confined to one, or that, side of the House; and the only difference about it was that the opinions of hon. Gentlemen varied as to the means available for remedying the evil. They had the Permissive Bill, and the hon. and gallant Member for Waterford (Major O'Gorman) contended that it was an Englishman's birthright to carry away as much liquor as he could. He (Mr. Clare Read) was no teetotaller himself; he liked a drop of beer, and he should be very sorry to deprive anybody of a moderate use of spirituous liquors of any sort. He did not believe in the tyranny of a Permissive Bill, or that Sunday closing should be extended to England; nor did he believe that drunkenness prevailed to the extent complained of. A great number of men who had not been very well fed before did, no doubt, eat and drink too much when they were placed in circumstances of comparative luxury, and some allowance ought to be made for the sudden increase of wages. It was not so long ago that the three-bottle man was looked upon as being respectable, and he knew very well that 40 or 50 years ago a great number of farmers returned from market certainly not the better, but rather the worse, for what they had taken. That was all changed, not by restrictive or permissive measures, but simply because people were becoming more enlightened. There were many means by which the House could look for the promotion of temperance before they resorted to the restrictive measures which some hon. Gentlemen would desire the House to adopt. He would have spoken when he rose to second the Bill, had he not been told to wait until some opposition was offered to the Bill which he might have an opportunity of answering; but scarcely any opposition had been offered. What he would say would, therefore, be very brief. He was anxious to prevent drunkenness, and to cure the worst habitual drunkard. He was also glad his hon. Friend had made this an experimental measure. If a measure of the sort had been adopted some years ago by the late Mr. Dalrymple, the supporters of it might have had some experience of its operation, and might have asked Parliament to enlarge its operation. He was glad this was a less ambitious measure than his hon. Friend proposed last year. Although his (Mr. Clare Read's) name was associated with the Bill of last year, he would have been obliged to protest against that portion of it which proposed to maintain these institutions out of rates, as they were hardly in a position to go to the country and ask it to contribute public money or rates for them. If this measure were argued properly, there would be plenty of justification for making it compulsory; but he was in favour of moderate demands. He had always found that half-a-loaf was a great deal better than no bread. After the measure had been shown to work satisfactorily, then the House could be asked for further power. This Bill would give the retreats that definite standing and authority which it was his wish to see them possess. If, in a sober interval, a man would go voluntarily into one of these retreats, where, when the morbid and insatiable craving for intoxicating drink came upon him, he could be kept for 12 months, or probably a shorter period, there was a great chance that he would be reformed. It might be said that if a man went into one of these retreats, he would lose all self-respect; but a man who was a slave of drink could not have any great amount of self-respect; he was more degraded and helpless every day of his life. He (Mr. Clare Read) hoped the House would give a second reading to the Bill. If the suggestion that all these houses should be licensed, which would contribute to the payment of £300 or £400 a-year for an Inspector, were adopted, he saw no reason to doubt that the Government would in its wisdom support this measure, which, he believed, would confer great benefit on the unfortunate people for whom it was intended.

Mr. O'SULLIVAN said, he felt great pleasure in having the opportunity of supporting the Bill of his hon. Friend the Member for Glasgow (Dr. Cameron); who, he thought, deserved not only the support of the House, but the thanks of the public, also, for having brought it forward. He (Mr. O'Sullivan) believed it was a step in the right direction, and, if the Bill was adopted, it would tend largely to prevent intemperance. They had heard a great deal in that House about the Sunday Closing Bill—the strongest remedy ever proposed for drunkenness—but the effect produced upon the habits of habitual drunkards by the Sunday Closing Bill would be very slight. But the hon. Member for Glasgow had taken a step in the right direction, because he aimed at reforming the habitual drunkard himself. They all knew that a drunkard was a curse to himself, a curse to his family, and a disgrace to the neighbourhood in which he lived, and he thought it was the duty of Parliament to try and put a stop to the habitual drunkard in every way they possibly could. He had seen a man cry bitterly when he was sober at the thought of his addiction to intemperance; but, notwithstanding that man's feelings on the subject, he saw him 24 hours afterwards in a state of intemperance. There should be retreats to where such men could go for the purpose of being reformed. Habitual drunkenness was a disease, and it should be treated accordingly. Some men had not the strength to withstand temptation. The Bill was a very moderate one, if the compulsory clauses were withdrawn; but it was one of great importance. Indeed, he thought it was too important a question to be left in the hands of a private Member, and therefore he hoped the Government would take up the measure and give it a fair trial. If the Government did so, he maintained that it would do more than any Bill which had been brought before the House in the interests of society for the last five years. He believed it was a Bill that would do great service, and make happy many homes that were miserable at present. He hoped that the Government would not only support the principle of this measure by voting to-day for the second reading, but would take it up next Session, and give to it that force which the Government could give to a Bill, and pass it into law. By so doing, the Government would do a great service to society, for a greater injury or a greater disgrace to society than the habitual drunkard there could not be. He had very great pleasure in supporting the second reading of the Bill.

MR. BOWEN said, that during the short period he had had a seat in the House he had consistently voted against every liquor scheme; but if the compulsory clauses of this Bill were withdrawn, he thought it should be passed. He would have been better pleased if they had been retained, but, as it was, he should support the measure.

SIR HARCOURT JOHNSTONE did not believe it would be possible to pass the compulsory clauses through the House now, though a few years hence they might be found necessary. But in the interests of those people who were willing to submit themselves voluntarily to restraint, and in the interests of their friends and of society, it was desirable the Bill should pass, provided its compulsory clauses were withdrawn.

MR. A. GATHORNE-HARDY thought the measure, as now restricted, was calculated to do great good. With the compulsory clauses withdrawn, he regarded it as a Permissive Bill in the best sense of the word; and he, for one, had no objection to the passing of a Bill which would enable persons to restrict the liberty of others for their own good if they voluntarily surrendered their liberty for that purpose. He hoped that in Committee a clause would be introduced to place the expense of the inspection of these institutions upon the holders of licences. The measure was a permissive one, and the expenses should be thrown upon the persons who might submit themselves to its operation, or upon their relatives; at any rate, not upon ratepayers. The only reason that could be assigned for throwing the expenses upon local rates or the Imperial fund would be a carrying out of the compulsory clauses. If the expenses were not thrown on the ratepayers, he would not oppose the Bill.

MR. M'LAREN stated, that he had received a Petition from Edinburgh in favour of the Bill. The President of the Royal College of Physicians said the Petition was only a few weeks available for getting signatures. If a longer time had been allowed, it would have been signed by every medical practitioner in the city of Edinburgh, so unanimous was the opinion in its favour. The Petition was also signed by several Professors in the University, by several advocates, and by other distinguished men, including the Principal of the University. In short, the Petitioners generally were of the class he had mentioned, showing that in the higher walks of life the opinion in favour of this measure was growing very rapidly. He himself gave it his most hearty support.

MR. SAMPSON LLOYD, while he objected to the coercion of really sober persons as proposed by the Permissive Bill, was willing to support the one before the House, which was well drawn and free from many objections. He hoped the Bill would be carried unanimously, and go into Committee. They all knew cases in which persons of great gifts and power suffered from this terrible malady, for, no doubt, it was a malady. As to expense, habitual drunkards cost the country more than the institutions proposed by this Bill would, and the middle classes required these places as much as the lower classes. Though it might be a matter of policy not to press the compulsory clauses, he believed it would have been possible to pass them, the liberty of the subject being sufficiently protected on the whole by those classes.

Mr. COLMAN said, the clauses of the Bill would affect more particularly those who did not belong to the working classes; but, as these men had ruined themselves and their families for want of legislation of this kind, he trusted that in a short time the Bill would be passed.

Sir JOSEPH M'KENNA hoped that the friends of the Bill would not adhere to the compulsory clauses, for if they did they would run the risk of endangering the passing of the Bill as an experiment. He also hoped the Secretary of State for the Home Department would consent to accept the Bill without them. On a future occasion, when the Bill had been shown to work successfully, he hoped a measure with compulsory clauses would be carried.

Sir HENRY SELWIN-IBBETSON regretted that he was not present during the whole of this debate; but he thought he had heard enough of the speech of the hon. Member who introduced this Bill (Dr. Cameron) to enable him to deal with it on the part of the Office which he had the honour to represent in that House. Ever since the subject was introduced to the House, he had felt that if a practical scheme could be drawn up, it would be a matter of satisfaction to the country; and he confessed that, in looking at some of the clauses of the Bill, he thought, as a tentative scheme, it might in all probability be successful in dealing with the question. He had opposed the measure of the hon. Member for Bath (the late Mr. Dalrymple) on the ground that it would have dealt compulsorily with this question, and with the compulsory clauses in the present Bill he must express his dissent. But if the Bill were limited to dealing as a tentative measure with that class of people who voluntarily placed themselves in such institutions, he would give their managers power to detain them till cured. He believed the Bill, if restricted to this, would do a great amount of good. The question which really concerned the Office which he held was the question of the expenses contemplated by the Bill. One of the clauses contemplated payment to the local authorities of all licences and fees which were obtained under it, and another clause placed on the public funds any expenditure which might be incurred under the Bill. On the part of the Treasury, he was not prepared to say that if the House thought the Bill was necessary, the cost of inspection might not fairly be borne by the public funds; but when the proposal went beyond that, and looking to the fact that any profits to be derived from the Bill were to go to the local authorities, he thought any further expenses ought to fall on the localities benefited by the operation of this measure, and not upon the public fund. These points, however, did not bear on the question of the principle, and to that he had no objection, and privately he had been long in favour of it. He had seen much to corroborate the statements made to the House by the hon. Member for Glasgow, and no one would hail more heartily than he any successful scheme of dealing with the difficulty. Individually, he offered no opposition to the second reading of the Bill.

Mr. LYON PLAYFAIR thought the House had come to a proper understanding that it would be more prudent, at the present stage, to accept the proposal of the hon. Member for Glasgow, and omit the compulsory clauses in the Bill. To a certain extent, the question was still in its experimental stage. While many experiments had been made which had resulted in success, others had been made which had resulted in failures, and until the best mode of dealing with the matter had been discovered, it was desirable that it should be left in the hands of those who were willing to undertake it voluntarily, and who might discover a basis for a satisfactory measure in the future. It was said the Bill would only meet the case of the rich habitual drunkards who could afford to pay. But that was not so. There were many wealthy persons who would be ready to establish institutions to aid the poor habitual drunkard who would come under its care. Under the present law there were exceedingly severe cases that could not be met, though the persons concerned were willing to submit themselves to restraint. In travelling in America, he had found a rich Englishman who had gone over there to find an asylum, because he could not get one at home where he could put himself under restraint. In cases of the kind, where men willing to reform were unable to do so under the present law, a permissive Bill of this kind was calculated to do the greatest good. He was glad to hear the testimony that had been borne to the philanthropic labours of the late Mr. Dalyrmple. It must be exceedingly gratifying to all his friends to hear the honourable remembrance in which his labours were held in that House.

Sir MATTHEW WHITE RIDLEY said, the Bill had met that day with a reception seldom accorded to any measure introduced into that House. He understood that it was the intention of the hon. Member for Glasgow (Dr. Cameron) to withdraw the compulsory clauses of the Bill, and in the case of that being done, the Government had no objection to make to the principle of the Bill, believing that it might have some good effect. At all events, the experiment was worth trying, and it seemed reasonable to expect, from the feeling of the House being so unanimous upon it, that, even in the present Session of Parliament, the Bill might become the law of the land. At the same time, however, he was not quite so sanguine as to the results which would flow from the measure as some hon. Members were. There was, to say the least of it, some doubt as to the measure of success which had attended the experiment in America, and there was not sufficient evidence at the present moment that the voluntary establishments in England for the reclamation of habitual drunkards had been successful. Understanding, as he did, that the bulk of the evidence submitted to the Committee which had sat to consider this subject pointed as the cause of failure to the want of compulsory power to keep persons in these places of retreat until the critical time had passed, he thought that some power should be given to the managers of these institutions to meet that difficulty. One danger to be guarded against would arise out of the granting of licences to persons to leave these places of retreat after a certain time. A man might contract himself into a retreat for 12 months, but he might become anxious after a time to obtain a licence to leave it. If the Inspector who had the power of granting or refusing these licences were to grant them too easily, there might soon grow up a want of proper discipline in these institutions; whereas, if he were to refuse them too rigidly, there was much danger that the establisments would become unpopular, and therefore less effective. At the same time, he felt that the object of the Bill was very properly to throw difficulties in the way of those who had consented to enter these retreats getting out again until their cure had been effected. If, during the interval between the notification of the person detained that he wished to leave and the granting the licence by the Inspector, the desire of the person to leave were to pass away, as it was to be hoped it would, much good might result from this Bill. The objections to the measure on the score of expense which had been entertained were entirely removed by the withdrawal of the compulsory clauses, and by the understanding that no charge should be cast by this Bill upon the rates or the public funds. The expense of the Government Inspectorship should be defrayed out of the cost of the licences to leave, and out of other fees of that character. He did not think that much could be expected from the insertion of clauses to prevent publicans from serving habitual drunkards with alcoholic liquors; because, in common with insane people, habitual drunkards were very cunning, and they might easily deceive the publicans in the matter. The suggestion which had been made by the hon. Baronet the Member for Hastings (Sir Ughtred Kay-Shuttleworth) with reference to requiring an habitual drunkard convicted of any offence to find sureties for his good behaviour, was already the law of the land; although he believed that that course might with advantage be more generally adopted in all large centres of population, and he trusted that the publicity which would be given to the remarks of the hon. Baronet would have a good effect in that direction. In conclusion, he had to say that the Government had no opposition to offer to the second reading of the Bill, though they thought that some valuable Amendments might be made in it in Committee.

Mr. WALTER regretted that he had not had the advantage of hearing the speech of the hon. Member for Glasgow (Dr. Cameron) in moving the second reading of the Bill, because he thought it was not improbable that some of the remarks he was about to make upon the subject had been anticipated and already answered. While entirely concurring with the hon. Member in the object he had at heart, he wished to make one or two suggestions in the way of cautions which occurred to him on points which had not been referred to either by hon. Members, or by the Government. It was obvious to everyone that the Bill as it stood merely dealt with the question in the abstract, whereas its success must largely depend upon the way in which it dealt with the matter in the concrete. He wished to point out that this Bill contained nothing definite with regard to the character either of the buildings or of those who were to conduct them. He thought that these institutions should be situated in the country, rather than in towns. He believed that the chief element of success in dealing with cases of confirmed drunkenness was to give those who suffered from that affliction plenty of fresh country air and of outdoor occupation. The Government, therefore, should take care that these retreats were established in some healthy part of the country. He also hoped that, in the first instance, at all events, these institutions would be established upon as cheap and moderate a scale as possible. In this country, whenever a project like this was set on foot, a multitude of societies sprung up each vying with the other in the magnitude of its establishment. When he went to America some two years ago, the first thing he noticed on entering the harbour of New York was a vast red brick and stone building, which, he was informed, was the Home for Inebriates. On asking whether the institution had succeeded, he was informed, to his regret and disappointment, that it had proved an entire failure. In these circumstances, therefore, he trusted that no attempt would be made to herd a multitude of these unfortunate persons together, and that not more than 20 or 30 would be detained in the same establishment, that they would be located in a healthy part of the country, and that the control of them would be confided to men of great prudence and experience.

Mr. MACARTNEY observed, that the observations which had fallen from the hon. Member for Berkshire (Mr. Walter) were most appropriate to the occasion. If plenty of fresh air and exercise were not afforded to the inmates, these institutions would be more like prisons than retreats. He would have voted for the compulsory clauses of the Bill if they had not been withdrawn; for in his experience as a magistrate, he had known excellent results follow from the detention in gaol for two or three months of habitual drunkards. He would recommend the adoption of the system existing in Sweden, under which all the food and drink of habitual drunkards who were detained in these establishments was flavoured with the spirit they were accustomed to drink, and the result was that the persons whose cure was to be effected became so disgusted with that particular spirit, that they would never drink it again.

Dr. CAMERON thanked Her Majesty's Government for the reception they had given to his Bill. He considered the suggestions of the hon. Gentleman the Secretary to the Treasury as to the expenses to be very reasonable, and would be prepared to accept them and others of a like nature.

Motion *agreed to*.

Bill read a second time, and *committed* for *Monday* next.

LANDED ESTATES COURT (IRELAND) LEASES BILL.

(*Mr. French, Mr. Shaw, Mr. O'Reilly, Mr. Richard Power.*)

[BILL 83.] SECOND READING.

Order for Second Reading read.

Mr. FRENCH, in moving that the Bill be now read a second time, said, it was scarcely necessary to urge that question of land in Ireland was one which demanded the largest public consideration. It had been the cause of more dissatisfaction and more crime than any other question. There were bad landlords, no doubt, but they were not in a majority, or even in a very large minority; but there were many landlords who were a disgrace to the country, and even to humanity, and it was with them that the Bill proposed to deal. It proposed to give every tenant of an estate passing through the Landed Estates Court, power to obtain a 35 years' lease of their holdings, in cases where they were not in a position to purchase it. All persons interested in the property would be entitled to appear in Court to offer any reasonable objections; but if the objections failed, the Judge would be bound to give the tenant a lease for 35 years, at a rent not less than he already paid. The Bill would interfere—and it was his (Mr. French's) aim to do so—with the speculations of land jobbers, who were in the habit of purchasing land when it was cheap, and then raising the rents to an exorbitant amount. Another class who would be affected by the measure were large tenants, graziers, and others, who were in a position to purchase their holdings under the Bright clauses. A tenant who desired to buy his holding was often obliged to purchase the holding of other tenants who were joined in a lot along with his own. In such cases, the man who purchased was often tempted to raise the rents of the other tenants to enable him the more easily to pay the purchase money, or to turn them out and add their holdings to his own large farm. The Bill would prevent great hardships which were thus inflicted on the poorer class of tenants under the present law, and would not have the effect of lowering the price of estates in the market. In that way, it would facilitate the purchase of their holdings by the holders of the larger farms in Ireland. A great deal of good would have resulted if this Bill had existed sooner in Ireland, and if it had existed they would not have heard of the many outrages and lamentable occurrences, such as that of the Galtee estate, and others, which, he regretted to say, had taken place. The hon. Gentleman concluded by moving the second reading of the Bill.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. French*).

MR. VERNER, in moving that the Bill be read a second time that day three months, said, in his opinion, no evidence which had ever come before any Committee warranted such a Bill as this. No doubt, the object of the hon. Gentleman was excellent. There were some landlords for whom very little could be said; but, at the same time, it was no reason why such a radical change should take place, which would affect very good landlords. But, however good the object might be, the question that must be asked was, whether it was advisable to go on tinkering about this question of land in Ireland, as hon. Members opposite did, by bringing in successive Bills of this description every year? If it were necessary to deal with this question, it ought not to be dealt with in any piecemeal fashion. Some clauses in the Bill appeared to him to be objectionable in every point of view, as tending to put tenants in antagonism to their landlords, and to depreciate the value of estates; and the powers given to the Court for the prevention of this were very limited. A Committee—of which he was a Member—had for two Sessions sat to consider some of the clauses of the Land Act of 1870, and he thought they would do well to wait until the Report of the Committee and the issue of the evidence on which it was founded had been digested by hon. Members. Several proposals had been put forward by that Committee, which he thought would very probably clash with this Bill. Under these circumstances, his only course was to move its rejection.

Amendment proposed, to leave out the word "now," and at the end of the Question, to add the words "upon this day three months."—(*Mr. Verner.*)

Question proposed, "That the word 'now' stand part of the Question."

SIR JOSEPH M'KENNA believed the Bill was brought in with good intentions. It was good as far as it went, but it went hardly any way. It was a very small and insignificant measure—one which would take 200 years to operate before it would confer a vanishing tenant-right upon the whole of Ireland. Why should it not apply to estates which were not in the Landed Estates Court, as well as to those which were in the Court? He thought that the hon. Member (Mr. French), if he desired to confer tenant-right on all the occupiers of land in Ireland, should have supported the Bill which had been introduced by the hon.

Member for Limerick in the earlier part of the Session. That Bill would give to the whole of the tenantry of Ireland that protection which the present Bill extended in a very limited degree to a few.

Mr. MACARTNEY admitted that the Bill was an attempt to remedy the cases of injustice which, occasionally, it was evident, occurred with sales of land under the Landed Estates Court. It went, however, a great deal too far, for it would be a very strong measure to give a lease for 35 years to every tenant under all circumstances. To do so would most seriously affect the saleable powers of the property. It would be recollected that landlords were naturally anxious to enjoy the rights which justly belonged to them. But if these constant attempts were made to encroach upon their rights, the House would begin to think that those from whom they proceeded were not worthy of attention. While advocating an amendment of the Land Laws of Ireland, it was most desirable to hold a just balance between landlords and tenants; as, however, the Bill did not do that, he could not vote for it.

Mr. SHAW warmly supported the Bill, which he considered a very valuable one. He had voted for the larger and more comprehensive measure for dealing with the Irish Land Question; but for that reason, he did not think it desirable to vote against questions like this, which dealt with parts of the subject. On the contrary, he thought that they were more likely to deal successfully with the question, if they approached it by degrees, and dealt with it piecemeal, by measures which did not excite such vehement passions as were aroused by more heroic Bills. Those measures excited the passions and prejudices of the landed classes, and, therefore, had little chance of success. He thought it would be most desirable to have the question of rent settled by an impartial authority. He would even give the Judge of the Landed Estates Court the power to grant leases to the tenant for long terms, taking fines, which would go to the credit of the estates. In the long run, he felt sure that it would be both for the interest of the landlord and tenant that the rent should be settled in the manner he had described, and that the tenants, who were afterwards quite helpless, should not be left at the mercy of any purchaser of an estate who bought it with the intention of immediately raising the rent of the tenants to an extravagant extent. The Bill would be a step towards bringing to an end the land war of Ireland; and, by giving the Irish tenants a feeling of security, put an end to that feeling of suspicion with which they too often regarded the landlords.

Mr. O'SULLIVAN expressed his astonishment at the opposition to the Bill. The hon. Member for Youghal (Sir Joseph M'Kenna) thought the Bill would do no good. If it did nothing else, it would prevent the undue raising of rents when an estate changed hands in the Estate Court, and would secure to the tenants that the land should—on the expiration of their lease—be let to them at a fair value. No harm could be done by the Bill. What would be done would be to compel the incoming landlord to let the tenant have his holding at a fair rent. He would buy on that basis and no injustice would be done. All that would be done would be to prevent men purchasing estates as a matter of speculation, in the hope and with the intention of raising the rents exorbitantly upon the tenants. He saw nothing unreasonable or unjust in the measure, and he hoped it would not be opposed by the Government.

Mr. FAY spoke in favour of the Bill. His impression was that heroic measures with respect to Irish land were often distrusted by those who introduced them; and he was, therefore, inclined to regard with favour a practical measure like this, which would, at any rate, abate a serious evil which at present existed in the sudden and extreme raising of rent on a change of property. No injustice would be done to a purchaser by enabling the Judge of the Landed Estates Court to confer leases at a fair rent or fine upon the tenants, for the purchaser would know beforehand that that would be done, and would, therefore, buy on that basis. He would not give more than the fair value for the property, instead of as at present looking for a profit to a sudden increase in the rents of the tenants.

Mr. CHARLES LEWIS said, that having regard to its Preamble and some of the clauses, he would be disposed to support the Bill, if it were confined to the granting of leases on property which was passing through the Estates Court, when the owner was insolvent and the estate was greatly incumbered. But, as he understood the Bill, its provisions might be made to apply to unencumbered estates being in process of sale through the Court. That, he thought, would be objectionable, and it ought to be made clear that nothing in it was intended by a side-wind to interfere with the power of owners of unencumbered estates in Ireland to grant leases to their tenants on terms agreed between them. Unless he had some explanation on this point, he should feel bound to vote against the Bill.

MAJOR NOLAN said, the evidence given before the Land Committee of last Session by Mr. M'Donald, Examiner of the Landed Estates Court, as well as that of other witnesses, was strongly in support of the principle of the Bill, and went to show that it would be beneficial to confer upon the Judge of the Estates Court the power to grant leases on lands passing through the Court. To give such a power would benefit both the landlord and the tenant, because the former would often get a higher price by selling subject to a lease granted, especially on a fine, than if he sold the estate entirely free from leases. The evidence tended to show that if the power proposed to be given to the Estates Court were conferred upon it, many estates would be passed through that Court for the purpose of having such leases granted. It would be perfectly safe for the State to say, that in return for the facilities given by the Estates Court on the transfer of land, the Judge, with the consent of the proprietor, should have the power to grant leases on all lands passing through his hands. But the power given by the Bill was much less, and although he did not say that it was a small measure, he thought it was one which they might press without awaiting the Report of the Select Committee on the Bright Clauses, which was now sitting. It was a very moderate step in a right direction, because it would enable many tenants to acquire some perpetuity in their tenancies; and as long as they could not obtain a new Land Bill settling that question on a substantial basis, he would not despise such a small measure as the present one, even although it might be described as "tinkering." He did not think it desirable to put off the question for two or three years; because, although they might possibly consider it in a more perfect manner, many tenants might in the meantime lose the benefit which it would confer upon them. He regarded the measure as a Conservative one, and he thought hon. Members opposite ought to see that a leaseholder was much more likely to vote for a Conservative candidate than a mere tenant-at-will would be. He did not, however, support it for that reason, but because it would confer a sensible benefit on a good many tenants.

MR. M'CARTHY DOWNING said, though he did not think much of the Bill, he would vote for it. When the hon. and gallant Member for Galway talked of tenants being willing to pay a fine, the witnesses did not mean to say that the tenants were willing to pay a fine for a 31 years' lease. The truth was, that Irish tenants under a good landlord did not care for a 31 years' lease. But he believed that when property was changing hands through the medium of the Landed Estates Court, it might be useful to give the Court power to grant leases. The Bill, accordingly, would give a landlord who was about to sell his estate, the power of protecting his tenants by granting them leases for 35 years, if they asked for them. If the mortgagee, or other person interested, objected to such leases being granted, then the Judge of the Court would have the power to decide whether the offer of the tenant was fair, and of granting a lease, if he approved of the offer. The Bill would be of advantage to the landlords, as no lease was to be granted at a lower rent than was being actually paid; and it would protect tenants from land speculators, on the one hand, by preventing persons from buying land with a view of getting, not 4 or 5 per cent, but 7 or 8, and sometimes 10 per cent, by raising the rent on the tenants. It would also, on the other, prevent persons buying an estate at a fancy price, and then compel the tenants to pay that price in increased rents. The Bill was a very harmless Bill, and although it did not go so far as he wished, it would do some good, and he therefore supported it, although he had refused to put his name on the back of it.

THE ATTORNEY GENERAL FOR IRELAND (Mr. GIBSON), while complimenting the hon. Member for Roscommon (Mr. French) on his temperate speech, questioned if he had fully looked at all the difficulties which surrounded the question, or had sufficiently considered all the existing laws on the subject. He agreed with much that had been said about the class he christened "land jobbers," men who bought estates, not with the view of living on them with their families, but with the view of raising the rents and making as much as possible out of them. Certainly that class would never enjoy much respect in Ireland; but the existing law had not been sufficiently considered in regard to the Bill. The Bill did not recognize the fact that under the existing state of things, the Landed Estates Court had in name become a thing of the past. But, passing from that, which was merely a technical point, he would venture to offer a few criticisms upon the most important part of the Bill—the 2nd clause. That, he thought, showed that it had not been altogether drafted with that desire to do justice to all parties which the hon. Member for Roscommon avowed was his object. Power was given to the tenant to give notice of the rent he was willing to pay, and the covenants to which he would submit—in fact, the contract he would accept. But, when he came to look at the other side, and asked what power was given to the landlord to consider what covenants he would like, or what rent he would desire to obtain, he found that no power was given to him, he found that none at all was accorded; and, more than that, there was no power given to the Court to vary the rent, to alter it up or down, or to change or vary any single one of the covenants. Another objection he had to make was that the provisions of the Bill were absolutely compulsory; and if a tenant served a notice asking for a lease, and no notice of objection happened to be served, the lease must be granted. The sole discretion was practically left with the tenants. When he considered the existing state of the law in Ireland relating to the granting of leases, could he admit that a case of necessity had been made out? At present there were two large classes of persons whose property might be sold in the Encumbered Estates Court—namely, tenants for life, or owners of settled estates, and those who were absolute owners. Under the Act of last Session relating to Settled Estates, a power was given to the Landed Estates Court and the Court of Chancery to do all that was just between the parties in the granting of leases on such estates for 35 years, so that, in by far the largest class of cases, the existing law did everything which that Bill should do, providing proper safeguards in addition; and, in regard to the estates of absolute owners, he greatly doubted whether the Bill, as it stood, could ever work satisfactorily. Looking from a common-sense point of view, the absolute owner would have to face and meet the exercise of the powers defined by the Bill before he introduced his property into the Landed Estates Court, and it would be quite impossible for the owner to grant leases at such rent as the market allowed him to get from his tenant. He admitted there was a great deal in the Bill entitled to attention, and he was very far from saying that it was not worthy of consideration whether some proposal should be made for extension of the power to grant leases in this Court; but he would suggest that, having stated his views, the hon. Member should withdraw the Bill at the present period of the Session, and guided by the light of the present discussion, should consider it carefully during the Recess, with a view, if he thought proper, to introducing a Bill next Session which would be more satisfactory, and to some extent free from the provisions which had invited the hostile criticisms which had been urged against it. Another reason in favour of delay was that the Committee that was sitting, and presided over by the hon. Member for Reading, had gone fully into many matters which were to a certain extent connected with that subject; and perhaps it would assist the House in any future discussion which might occur on that Bill, if they had the Report of that Committee, together with the evidence which it had taken, placed on the Table.

THE O'CONOR DON said, he was gratified to find that the right hon. and learned Attorney General for Ireland did not see any insuperable objection to the adoption of the principle of the Bill; but he would have been more pleased had his remarks been followed by the announcement that the Government would not oppose the second reading, because most of the objections made were such as might be made and met in Committee, and did not touch the principle of the Bill. If the Bill had been passed years ago, they would not have had the agitation on the Land Question, or that treatment of the tenant which gave rise to the agitation. The Land Act of 1870, doubtless, had been a protection to tenants against land speculators; but he could not shut his eyes to the fact that under the present system much dissatisfaction existed among the tenants, and that dissatisfaction gained strength every time an estate was bought in the Land Court by a speculator who regarded his purchase as a mere commercial transaction, and treated the tenantry in a very different way from that in which the old proprietary had been accustomed to treat them. The phraseology to which the right hon. and learned Attorney General objected was a mere technical objection, and would be met in a moment by any legal gentleman who would give his mind to it. The right hon. and learned Gentleman said the Bill was compulsory, and that no option lay either with the landlord, or the Court, the sole discretion being with the tenant. But that was not the case according to the way in which he read the Bill. And if it contained compulsory powers upon all except the tenant, that was an objection to be urged in Committee. He believed the Bill did give the Court power of considering a statement put in by the owners. It certainly should contain such a provision; but that, also, was a matter for consideration in Committee. He saw nothing inconsistent with the rights of property in attaching conditions to sales in the Landed Estates Court. That should be submitted to by those who chose to take advantage of the facilities of the Court, and he trusted the House would assent to the principles, to which the right hon. and learned Attorney General did not object.

MR. J. LOWTHER thought the last speaker was very much mistaken in thinking that his right hon. and learned Friend the Attorney General for Ireland had approved the principle of the Bill. He had only admitted there was much in the Bill worthy of consideration. For himself, he (Mr. J. Lowther) thought the House would be very unwise to adopt the Bill, the principle of which, as he understood it, was not only to enable, but in many cases to compel, the Judge of the Landed Estates Court to grant leases without the consent of the owner or the intended purchasers. The granting of the leases would either diminish or increase the value of the property. If it would increase the value, the vendor would not object to a lease being granted, and therefore no legislation was needed; but if it would diminish the value, it would be a statutory robbery to compel the grant of one, to the injury of the owner and mortgagees. He considered that the House would be unwise in adopting the principle involved in the Bill, and, therefore, he trusted they would reject it.

MR. FRENCH regretted that the right hon. Gentleman was so strongly opposed to the principle of the Bill. He himself was in no way wedded to the wording of any particular part of the Bill, and in Committee he should be willing to accept any Amendment that did not strike at the object of the principle involved. The right hon. and learned Attorney General for Ireland said the Bill gave power only to the tenant with regard to the new leases. He, however, seemed to forget that there was power given to object, and if the Court were of opinion that there was a reasonable objection to the lease, it could not grant it; but if, on the other hand, there was no reasonable objection, the Court was obliged to grant it. Any proposal that would not affect the principle he was ready to accept in Committee. He must be allowed to express his surprise at the opposition of the hon. Gentleman the hon. Member for Youghal.

SIR JOSEPH M'KENNA said, he did not opposed the Bill, but only said it would be useless for the purpose for which it was designed.

MR. FRENCH considered the Bill would be exceedingly useful in preventing a class of men trafficking in the land, which was really the greatest cause of the tumult and misery and lawlessness and crime in Ireland.

Question put.

The House *divided :*— Ayes 78 ; Noes 179 : Majority 101.—(Div. List, No. 193.)

Words *added.*

Main Question, as amended, put, and *agreed to.*

Second Reading *put off* for three months.

POLITICAL PRISONERS BILL.

(*Mr. O'Connor Power, Sir Wilfrid Lawson, Mr. Joseph Cowen, Mr. O'Donnell.*)

[BILL 84.] SECOND READING.

Order for Second Reading read.

MR. BIGGAR, in moving that the Bill be now read a second time, said, hon. Members were well aware that the custom which prevailed respecting political prisoners was, that they should be put into prison and treated just in the same manner as the prisoners of all descriptions. He and his hon. Friends held that that was a principle which should not be agreed to, and they thought there should be some amelioration in the condition of such prisoners. He was not exactly responsible for the Bill, but the responsible Gentleman was the hon. Member for Mayo (Mr. O'Connor Power), who took a great interest in the subject. What he (Mr. Biggar) would like to see was that the Government should agree to the second reading, and then on the Motion for going into Committee the hon. Member for Mayo might have an opportunity of defending the principle of the Bill, and of pointing out the manner in which the Bill should be carried out.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. Biggar.*)

MR. J. LOWTHER said, there was one thing which the hon. Gentleman had not alluded to, and it was that the Bill had not yet been printed. Under the circumstances, he could not consent to the second reading.

SIR JOSEPH M'KENNA, although he sympathized with the objects of the Bill, hoped that, under the circumstances, it would be withdrawn for the present. It was hardly fair to ask the House to pass the second reading when it had not been able to read the Bill at all.

It being a quarter of an hour before Six of the clock, the Debate stood adjourned till *To-morrow.*

MONUMENTS METROPOLIS (No. 2) BILL—[BILL 140.]

(*Sir James M'Garel-Hogg, Sir Charles Russell, Mr. Forsyth.*)

CONSIDERATION OF LORDS' AMENDMENTS.

SIR JAMES M'GAREL-HOGG, in moving that the House do take into consideration the Lords' Amendments to the Bill, said, that the Amendments in question tended very much to restrict the powers given to the Metropolitan Board of Works with reference to the preservation of monuments in the Metropolis. He would, however, move their consideration.

Motion made, and Question proposed, "That this House do now take into consideration the Lords' Amendments to the Bill."—(*Sir James M'Garel-Hogg.*)

SIR JOSEPH M'KENNA thought that, looking at the importance of the measure, fuller time should be afforded for the consideration of the subject than then remained to them; and he would, therefore, appeal to the hon. and gallant Baronet not to proceed with the consideration of the Amendment at that time.

Motion, by leave, *withdrawn.*

Consideration of Lords' Amendments *deferred* till *To-morrow.*

MUNICIPAL CORPORATIONS ACTS BILL.

On Motion of Sir HENRY SELWIN-IBBETSON, Bill for amending the Municipal Corporations Acts, *ordered* to be brought in by Sir HENRY SELWIN-IBBETSON and Mr. Secretary CROSS.

Bill *presented,* and read the first time. [Bill 238.]

COUNTY COURTS JURISDICTION (NO. 3) BILL.

On Motion of Mr. WATKIN WILLIAMS, Bill to extend the jurisdiction of the County Court and to facilitate the transfer of actions to and from the County Court and the High Court of Justice; and for other purposes, *ordered* to be brought in by Mr. WATKIN WILLIAMS, Mr. SAMPSON LLOYD, and Mr. JOSEPH COWEN.

Bill *presented,* and read the first time. [Bill 239.]

House adjourned at ten minutes before Six o'clock.

HOUSE OF LORDS,

Thursday, 4th July, 1878.

MINUTES.]—PUBLIC BILLS—*Second Reading*—General Police and Improvement (Scotland) Act, 1862, Amendment (124).

Select Committee—Report—Inclosure Provisional Order (Llanfair Waterdine) *; Local Government Provisional Orders (Abergavenny Union, &c.); Local Government Provisional Orders (Dawlish, &c.).

Committee — Report — Dental Practitioners (*re-comm.*) (140).

Report—Conway Bridge (Composition of Debt)* (111).

Third Reading—Prison Authorities Act, 1874, Amendment* (134); Bills of Sale* (143); Tramways Orders Confirmation (No. 2) * (122), and *passed.*

Royal Assent—Public Works Loans (Ireland) Act (1877) Amendment [41 & 42 *Vict.* c. 24]; Public Health Act (1875) Amendment [41 & 42 *Vict.* c. 25]; Elementary Education Provisional Orders Confirmation (Birmingham, &c.) [41 & 42 *Vict.* c. cx]; Provisional Orders (Ireland) Confirmation (Dungarvan, &c.) [41 & 42 *Vict.* c. cxvi]; General Police and Improvement Provisional Order (Paisley) [41 & 42 *Vict.* c. ciii]; Local Government Provisional Orders (Birmingham, &c.) [41 & 42 *Vict.* c. civ]; Local Government Provisional Orders (Artizans' and Labourers' Dwellings) [41 & 42 *Vict.* c. cv]; Public Health (Scotland) Provisional Order (Lochgelly) [41 & 42 *Vict.* c. cvi]; Elementary Education Provisional Order Confirmation (Portsmouth) [41 & 42 *Vict.* c. cvii]; Pier and Harbour Orders Confirmation (No. 2) [41 & 42 *Vict.* c. cxv]; Local Government (Ireland) Provisional Order Confirmation (Artizans' and Labourers' Dwellings) (Cork) [41 & 42 *Vict.* c. cviii]; Local Government Provisional Orders (Belper Union, &c.) [41 & 42 *Vict.* c. cix]; Elementary Education Provisional Order Confirmation (London) [41 & 42 *Vict.* c. cxi]; Inclosure Provisional Order (Orford) [41 & 42 *Vict.* c. cxiii]; Pier and Harbour Orders Confirmation (No. 1) [41 & 42 *Vict.* c. cxiv]; Metropolis Improvement Provisional Orders Confirmation (Bowman's Buildings, Marylebone, &c.) [41 & 42 *Vict.* c. cxii].

LONDON AND NORTH WESTERN RAILWAY (ADDITIONAL POWERS) BILL—[H.L.]

THIRD READING.

Moved, "That the Bill be now read 3ª."

Clause 4.

EARL DE LA WARR proposed the omission of all the words between the word "thereto," in line 18, to the word "make," in line 19, together with subsection 1. The noble Earl said, that, under ordinary circumstances, he would not have deemed it his duty to move an Amendment at this stage of the Bill; but the justification of the course he was about to pursue must be that this was, in some respects, an exceptional case. Questions of importance connected with railway legislation were often brought under consideration at a time when many of their Lordships were not present. The Bills were, no doubt, dealt with with great judgment and discretion by the Committees; but there were frequently matters which might with advantage be brought under public notice and further discussed in their Lordships' House, and he believed that the present was a case of that kind. It appeared that, in the year 1865, the Great Eastern Railway Company obtained powers to build a station in Liverpool Street, in the City of London. While the Bill was in Committee—he was not certain whether it was in their Lordships' House or in the House of Commons — certain other powers were given, which enabled the Company to close a street not far from the station, the street being one of the great arteries of traffic in that part of London. The Corporation of the City of London and the Metropolitan Board of Works were ignorant of the powers thus acquired until the street in question—Sun Street —was about to be stopped up. Immediately after the discovery, the Corporation applied to a Court of Law for an injunction; but, failing in this, they came to Parliament with a Bill, which, however, was not passed, in consequence of the pending legal proceedings. The street was stopped up; but in the year 1876 the Metropolitan Board of Works and the Vestry of St. Leonard's, Shoreditch, finding that great inconvenience had arisen to the public, obtained an Act to enable them to make a new street to communicate with Primrose Street and Skinner Street. The new street was to run parallel with the street which had been stopped up, and it was designed to make up for the deficiency in the traffic accommodation. No sooner had this been done, than the London and North Western Railway Company introduced into the House of Commons a Bill to empower them to construct level crossings over those very streets. In spite of the opposition of the Metropolitan Board of Works and of the Vestry of St. Leonard's, Shoreditch, the Bill passed through the House of Commons, unknown to the Corporation of the City of London. It seemed to him a remarkable fact that a Bill relating to two important streets in the very heart of the City of London should have actually passed through the House of Commons without the Corporation knowing anything about it. But the explanation appeared to be that the place where it was proposed to make the level crossings were outside the boundaries of the City of London to the extent of seven yards or thereabouts, and that, therefore, no Parliamentary Notice was sent to the Corporation. Their Lordships knew that Railway Bills often passed through Parliament without much publicity; consequently, it was easy to understand how it was that, no Parliamentary Notice being sent to them, the Corporation should have no knowledge of what was going on until they heard of it from other sources. When the Bill came to their Lordships' House, the Corporation presented a Petition against that part of it which related to the level crossings—the Metropolitan Board of Works, the Vestry of St. Leonard's, Shoreditch, and all the local authorities interested in the traffic of the district concurring in the opposition. But, notwithstanding this, he regretted to say that the Bill was passed by their Lordships. He thought he was quite justified in saying that, on the whole, there was something of an exceptional character in the case. All the local authorities, who might be supposed to be guardians of the traffic in the district, opposed the granting of the powers referred to, as being not only inconvenient, but dangerous to the public. It might be argued that the level crossings were not to be used by locomotive engines; that they were to be used by trucks drawn by one horse only; and that the danger, therefore, was not very great. But, be that as it might, heavy trucks could be set in motion at any hour of the day or night across this large public thoroughfare. He would not pretend to say which were the more dangerous—the locomotives or the other trucks; but there was no provision in the Bill for enforcing the employment of sufficient break-power. That was how the matter stood; and he asked their Lordships

whether it was desirable, under the circumstances, to pass the clause without the alteration which he proposed? He knew it might be said that if the power of transporting goods from one yard to another were taken away, it would be a source of great inconvenience to the Railway Company. But if their Lordships would take the trouble to look at the evidence produced before the Select Committee, they would find, on the authority of the Engineer of the Midland Railway Company, that there were other means of providing for this transport. Captain Shaw, the head of the Metropolitan Fire Brigade, also stated that if the clause were carried out, it would create a most inconvenient stoppage of traffic in that part of the City. The witness added—

> "From my experience of these crossings, I look upon them as an absolute stoppage of the street at times. In every case we [alluding to the fire engines] turn round and go another way, probably thus losing five or ten minutes."

He therefore urged their Lordships to re-consider the decision which had been arrived at, and not to sanction the establishment of level crossings over important thoroughfares in the very heart of the City.

Moved, To omit, line 18, from ("thereto") to ("make"), line 18.—(*The Earl De La Warr.*)

THE EARL OF POWIS said, the decision which their Lordships were asked to reverse was arrived at by the Committee over which he presided. The clause was fully discussed by the Committee, who confirmed the decision of the Committee of the House of Commons. The crossing was not what, in common parlance, was called a level crossing. The Railway Company would have warehouses on both sides of the street, and it was extremely desirable that they should be allowed to pass over a single truck at a time, the truck being drawn by horse power, and on level ground. There was a provision that when the truck was passing a policeman should take care that no accident happened, and the Metropolitan authorities would have a general power in organizing the street traffic. Deeming it undesirable to trust entirely to evidence, he inspected the spot himself, and at once saw the reason for the decision of the Committee of the House of Commons. It had been said that the Corporation were ignorant of the nature of the proposal; but it was stated before the Committee that the Engineer under the Bill went to the City Surveyor and informed him of what was in contemplation, and the reply was that the place was outside the City boundary. The Metropolitan Board had spoken very harshly in the statement they had put forward, saying that the Railway Company had asked to be allowed to put down the crossing after the new street had been projected at the cost of the Board. It would scarcely be believed that the Board had been negotiating to re-sell to the Railway Company all the surplus land they had in connection with the street for the purpose of enlarging the station. He submitted that the noble Earl had not made out a case which would justify their Lordships in reversing the decision of the Committee upstairs.

LORD TRURO said, as a Member of the Select Committee to whom this Bill had been referred, he might be allowed to say a few words in reply to the Motion of the noble Earl. Very little evidence was necessary to satisfy them that the two streets in question were not of sufficient breadth to carry any considerable amount of traffic. Before they could be convinced that any material obstruction would arise, some very much stronger evidence would have to be adduced. With the view of ascertaining whether the traffic of these two streets would be stopped up by the tramways intended to be laid across them, he had asked Captain Shaw questions, and one would have supposed from his answer that trams were running over the street all day long. Then it was suggested that the use of the other streets had been very much interfered with, and that traffic would be of necessity carried into these streets. But he understood that two of these—Primrose and Skinner Streets — were not passable to carriages at all, and the others were most inadequate for ordinary traffic. Was it conceivable that, under these circumstances, the Metropolitan Board of Works would have remained in that state of quietude which it had assumed if the traffic had been stopped up as was suggested? The fact was, that this Motion was nothing more than an inglorious attempt to carry before their Lordships what the opponents of the Bill had been unable to carry before the Select Committee.

On Question? *Resolved* in the *Negative.*

Bill read 3^a with the Amendments; a further Amendment made; Bill *passed,* and sent to the Commons.

INTERMEDIATE EDUCATION (IRELAND) BILL.

QUESTION. OBSERVATIONS.

EARL GRANVILLE desired to put to the noble and learned Lord on the Woolsack a Question, of which he had given him private Notice. The noble and learned Lord said, the other night, in answer to a Question addressed to him by his noble Friend (Earl Spencer), that the Government did not contemplate in the Bill the admission of female students to its advantages. He did not propose to discuss the question of the desirability of admitting women to its advantages; but he wished to know from the noble and learned Lord whether it was correct, or whether he had misunderstood him, that the Bill did not contemplate this admission of female students? He (Earl Granville) had looked through the Bill himself, and he had consulted competent authorities, and they were agreed that as the Bill at present stood there was nothing to prevent the Board, if they thought fit, from admitting women to the advantages of the scheme. In the Bill itself there was no general direction, and the word student was used, though it was true that in the Schedule the masculine gender was made use of. But this was of no consequence. He remembered that the authorities of the University of London were advised by the Law Officers of the Crown that, although their charters and regulations contained terms which were only applicable to males, they might be interpreted as applicable to females, if there was any prescription of the English University in favour of such interpretation. But there was now plenty of prescription in regard to schools, the Endowed Schools Commissioners having, in a number of cases, applied portions of endowments to the establishment of girls' schools. The point was, however, stronger as regarded an Act of Parliament. He believed the late Lord Brougham had laid it down that the feminine was to be included under the masculine in the construction of Acts of Parliament when there was nothing repugnant to it in the context. The 6th clause in the Bill also gave the Board power to alter at their pleasure, subject to an Address from either House of Parliament against their alterations, the rules in the Schedule. There was, therefore, nothing to prevent the Board, if they thought fit, so altering the Act as to make it applicable to women.

THE LORD CHANCELLOR: My Lords, the observations I made the other night were directed, not so much to the legal construction to be placed on the Bill, as to what were the intentions of the Government. Her Majesty's Government, in introducing the measure, intended that it should be for the promotion of the education of boys; and, as the noble Earl has said, the words in the Schedule are in the masculine gender. If, however, in the opinion of Parliament, the measure should be extended so as to include girls, Her Majesty's Government would desire to consider whether it would not be necessary to make some modification of the rules, and to consider also, whether the financial arrangements of the Bill being framed on the principle of providing only for boys, would not require some material alteration. I expect that to-morrow my right hon. Friend the Chief Secretary for Ireland will receive a deputation of ladies and gentlemen on the subject. Meanwhile, the question is under the consideration of Her Majesty's Government, and may probably lead to discussion "elsewhere." I hope the noble Earl will be satisfied with my statement. I should not like that any alteration should be made to the Bill until the question had been more fully considered.

DENTAL PRACTITIONERS BILL.
(No. 123.)

(*The Marquess of Lansdowne.*)

COMMITTEE (ON RE-COMMITMENT).

Order of the Day for the House to go into Committee (on Re-commitment), read.

THE MARQUESS OF LANSDOWNE said, since the Bill was last before their Lordships, it had been thought desirable to introduce some Amendments to the clauses dealing with the restrictions on private practitioners. The noble Duke opposite (the Duke of Richmond and Gordon), had expressed a wish, which he thought a reasonable one, that in dealing with this question, they should adopt the machinery of the Act of 1858. That was the object of the Amendments he proposed to introduce on re-commitment.

House in Committee accordingly; Bill *reported*, without Amendment; and to be read 3ª *To-morrow.*

GENERAL POLICE AND IMPROVEMENT (SCOTLAND) ACT, 1862, AMENDMENT BILL—(No. 124.)

(*The Earl of Rosebery.*)

SECOND READING.

Order of the Day for the Second Reading, read.

THE EARL OF ROSEBERY, in moving that the Bill be now read a second time, said, it was a very small measure which had already passed through the other House of Parliament with the consent of Her Majesty's Government. Its object was simply to remove a doubt as to the General Police and Improvement (Scotland) Act, 1862, in regard to the tenure of office of Chief Magistrate of certain police burghs, and also to make the date of election uniform.

Motion *agreed to;* Bill read 2ª accordingly, and *committed* to a Committee of the Whole House *To-morrow.*

THE ECCLESIASTICAL COMMISSIONERS —CASE OF MR. ARMSTRONG.

OBSERVATIONS.

THE EARL OF SANDWICH called the attention of the Government to a Return made by the Ecclesiastical Commission on the 11th of April, 1878, and to the injustice which, he said, it showed had been perpetrated on a gentleman in the neighbourhood of Godmanchester. His noble Friend might ask him why he addressed the Government upon this question? but his reply would be that he did so because the Commissioners were bound to make an annual Report to the Secretary of State, who, he supposed, had some control over their proceedings. Not many weeks ago, he put a Question to the Chief Ecclesiastical Commissioner in respect to a gentleman who had been evicted from his farm, after receiving a friendly notice to quit, which was subsequently turned into a hostile notice. The circumstances were stated in a

Memorial which he held in his hand. When this gentleman received his notice to quit, he came to him as a friend and neighbour, and asked his advice as to what he ought to do. He thereupon advised him to address a Memorial to the Chief Commissioner, whom he knew as a Member of the House of Lords, and well known for his strict honour and justice. This gentleman—Mr. Charles Armstrong—took his advice, and addressed a Memorial to the Ecclesiastical Commissioners, in which, among other things, it was stated that in the year 1864, he hired of David Vesey, Esq., of Castle Hill House, Huntingdon, a farm called West Farm, in the parish of Godmanchester, containing 297 acres, having been selected—his family being well-known agriculturists in Bedfordshire—from numerous applicants. He continued in occupation of the farm till the death of Mr. Vesey, in 1871, having during that time been most punctual in the payment of the rent, as well as having got it into the highest state of cultivation. On the death of Mr. Vesey, his son, the Venerable Archdeacon Vesey, became possessed of it, under whom he continued in the occupation till the year 1877, when, to his great surprise, it, with all the other land in the parish belonging to the Archdeacon, was offered for sale. The gentleman who came down to inspect the farm on behalf of the Ecclesiastical Commissioners, who were likely to become purchasers of the farm, gave him distinctly to understand that he would be continued in possession; and, on this assurance, Mr. Armstrong's friends did not continue the inquiries they were making in his behalf. A day or two after, however, Mr. Armstrong received from Mr. Smith, the gentleman alluded to, a letter qualifying the promise he had previously made. This was on the eve of the sale, when Mr. Armstrong was obliged to rely, as he did with confidence, on the conviction that the Commissioners would not see any wrong done to him. The farm was, however, afterwards let over Mr. Armstrong's head to Mr. John Topham Gadsby, a large and wealthy cattle dealer and farmer, residing at Godmanchester. He should like to know what private arrangement there was between the land agent and Mr. Gadsby? Such an arrangement would be a most improper thing. In his Memorial, Mr. Armstrong referred to several gentlemen in the neighbourhood who knew him as an agriculturist, among whom were the Duke of Manchester, the Messrs. Howard, of Bedford, Mr. Spiers, of Spiers and Pond, all of whom gave him an excellent character as an agriculturist, and as one who might be relied upon for the payment of his rent. In spite of this, no regard was paid to their representations, and Mr. Armstrong was thrown overboard, and no attention whatever was paid to him. He was treated in a cavalier way by the Messrs. Smith, to whom the question was referred, one of the partners of whose firm was the gentleman who made the arrangement with Mr. Gadsby to turn him out. In their reply to the Secretary's note, Messrs. Smith and Gore said they had considered Mr. Armstrong's Memorial, but it was not Mr. Smith's opinion that Mr. Armstrong wanted; he required the exercise of the independent judgment of the Commissioners in the matter. Of course, the Messrs. Smith were not such fools that they would offer to undo what they had already done. Messrs. Smith went on to say—

> "The notion that either the tenant or the vendor of an estate is entitled to claim or to expect the continuance of the tenant in the tenancy is absolutely without foundation."

He dared say legally that might be so; but, under the present circumstances, it was clear that it was not morally so. A friendly notice to quit had been turned into a hostile notice, and Mr. Armstrong had been ejected without any compensation whatever. Messrs. Smith went on to say—

> "A farm is sold with an early vacancy to the best bidder, and if the tenant is damnified, it is for the vendor to give him due compensation."

He never heard a more preposterous thing than that. It was surely the most absurd thing ever thought of by any land agent. The land had improved in consequence of the labour of the tenant, and the Commissioners had received the benefit of it. He thought it was manifestly unfair for the Commissioners to take the land themselves, and not to give the tenant any indemnity. The letter proceeded—

> "It is quite true that our Mr. Charles Smith, viewing the property on the 11th July, expressed his expectation that Mr. Armstrong

might continue tenant, at the same time cautioning him not to depend on that; but he wrote to Mr. Armstrong early next morning, and sent the letter by special messenger, that he would not have the opportunity of remaining."

Mr. Armstrong was everywhere known as a good, practical agriculturist; whereas Mr. Gadsby was a man farming some 400 or 500 acres with other avocations, and he could not be expected to give the same attention to the land that Mr. Armstrong would have done. Why, then, was Mr. Armstrong turned out? What private agreement was there made between Mr. Gadsby and Mr. Smith on which this wicked transaction was based? Mr. Armstrong was ultimately informed that the decision of the Commissioners not to re-consider his case was based upon

> "considerations of general policy in relation to the management of this and other property belonging to the Board."

What considerations of general policy could have actuated them? He should have thought it would have been good general policy to retain as tenant a man who kept his land in good order, and who regularly paid his rent. If that was the general policy of the Commissioners in the management of their land, he was only sorry that they had chosen the county of Huntingdon to make such large purchases in. It was bad policy to buy land, and not encourage those who were doing well by it. The Commissioners had now in their hands an immense amount of landed property, the expenses of which were as much as £60,000 a-year. If they could re-arrange their property so that a large amount of it was invested in the funds, or some other security, much of this money might be saved to the poor clergy. The investments in land led to jobbery and to other evils; and if all the facts were known, he thought it would be admitted that the administration of the Commissioners wanted looking into. The present was a very hard case, which would never have transpired if the Commissioners themselves had gone properly into the facts. They left too much to their agents. Another complaint against them was that they gave nothing in charity except it was in small doles. Property had its duties as well as its rights; and if these gentlemen chose to become landed proprietors, they ought to be bound by the same rules as other proprietors. In the parish of Godmanchester alone they owned one-fifth of the land, and yet they did not give one farthing to the local charities. With regard to Mr. Armstrong, he thought that a case of great injustice had been made out; and, in reference to Messrs. Smith and Gore, he contended that those gentlemen had no business whatever to control the action or proceedings of the Commissioners by telling them what to do. In conclusion, he earnestly hoped the Government would take care that Mr. Armstrong received some compensation, instead of being left to be ruined by the harsh treatment of the Ecclesiastical Commissioners.

THE EARL OF CHICHESTER said, the noble Earl who had just spoken addressed himself to the Government on this subject; and if the noble Duke (the Duke of Richmond and Gordon) did not think it worth his while to get up and answer the noble Earl, it was scarcely his duty to do so. At the same time, there were one or two remarks which their Lordships might permit him to offer to the House. Their Lordships had again heard a long story with respect to Mr. Armstrong; but he would remind them that, as regarded that gentleman, he endeavoured, to the best of his power, some weeks ago, to answer the noble Earl. In addition to doing so, he had laid upon the Table of the House the whole Correspondence which had taken place on the subject. The noble Earl had been quite misinformed as to the existence of any treaty or engagement between Mr. Smith, the agent, and the other gentleman, Mr. Gadsby, whom he imagined had the refusal of the farm. As to the quantity of land held by the Commissioners, he made some remarks on that point upon a previous occasion, and he only now desired to add one or two observations, which he hoped the noble Earl would consider. It might be, of course, a question of general policy and economy—and one, also, of considerable public interest—whether Ecclesiastical Corporations should hold a large extent of land. Their Lordships might remember that, in the year 1851, when the Church Estates Act was passed, one great object of that measure was to do away with the system of beneficial leases granted by Ecclesiastical Corporations. That system was found to be very injurious. The land so leased was never properly tenanted or tilled. Subsequently, a large number of the leasehold estates fell into the hands of the Commissioners. They were by far the worst cultivated; the most deficient in buildings; and, altogether, they were in the most disreputable condition of any land which he had ever seen in this country. Whatever might be the opinion of the House or of the noble Earl as to the policy of these Corporations deriving their income from land in their possession, he was sure there could be no difference amongst their Lordships now, any more than there was 25 years ago, as to the old system itself. When the measure to which he had first referred was before Parliament, an estimate was made of the Church's interest in the leasehold estates; and that interest was supposed to be about one-half in reversioners, and one-half in lessors. The effect of the legislation of 1857 had been to reduce the quantity of land possessed by the Commissioners as owners and reversioners; and, it was, therefore, absurd to argue against their having such possessions, when the land which they held was so much less than the Church used to possess. In addition to that, he might state that although the Commissioners could acquire land partly by buying up the interest of leaseholders, and partly by purchasing freehold estates, the balance of their land sale purchase account was £1,000,000 excess of sales. As to contributing to local charities, the Commissioners subscribed largely for the erection and maintenance of schools, and to the building and restoration of churches; but not certainly to some of the smaller local charities.

THE DUKE OF RICHMOND AND GORDON: My Lords, in consequence of the noble Earl (the Earl of Sandwich) having addressed himself to the Government on this subject, I will, with your permission, make a few remarks on the matter to which he has alluded. The Notice placed upon the Paper by the noble Earl stated that he would call attention "to a Return made by the Ecclesiastical Commissioners on the 11th of April, 1878," and that is the Return which is now on the Table of the House, and to which your Lordships can refer. I have made inquiries into this matter, knowing that the attention of the Government was to be called to it; and I have also carefully read the Correspondence which has taken place, and which was presented to my noble Friend the Lord Lieutenant of Sussex (the Earl of Chichester). Having done so, I confess that I cannot see in that Correspondence anything which calls for blame on the part of the Government for the course which the Ecclesiastical Commissioners have taken. My noble Friend who brought forward this question complained of the notice which was given to Mr. Armstrong, and stated that it was wrong to convert what he termed a friendly notice to quit into a hostile notice. I should have thought that any person who proposed to sell his property would naturally, if he wished to get the largest sum possible for it in the market, take care that it was not hampered by any tenants being upon it, in order that when bought the purchaser might do with it what he pleased. Accordingly, as I understand the transaction, to which the attention of the House has been directed, Archdeacon Vesey, who sold the property, gave notice to one of his tenants—a yearly tenant—that he would have to leave his farm; but he did not give a similar notice to the other tenant, for the best of all reasons—that in that case there was a period of four years to run before the expiration of the lease. The object of the Commissioners in purchasing the property was, if I am not misinformed, to put two farms together; and all who are acquainted with landed estates must know that that may be, on some occasions, a very advisable and right course to follow. I am not sufficiently conversant with the details of this case to say whether the arrangement I have indicated was really the most convenient in the circumstances; but I assume that the Ecclesiastical Commissioners thought it convenient, or they would never have adopted it. The two farms which are to be united, and which are the subject-matter of the present discussion, are not at this moment let to anyone; and, therefore, it is entirely in the hands of the Ecclesiastical Commissioners to deal with them, when they have been put together, in any manner in which those Gentlemen think fit. My noble Friend (the Earl of Sandwich) has complained of the conduct of Messrs. Smith and Gore in this matter. I happen to have been acquainted with those gentlemen for a good many years; and I believe that many of your Lordships also know them, if not personally, by reputation. I have always regarded them as amongst the most eminent land agents to be found in this country; and I do not believe that being, as they are, honourable men, they would do anything whatever in the nature of sharp practice or ungentlemanly conduct. My noble Friend has complained that Messrs. Smith and Gore are practically the Ecclesiastical Commissioners. That is not the case. On the contrary, I think if my noble Friend reads carefully the Correspondence which has taken place, he will find that they occupy exactly the position which he thinks they should hold—not the position of Commissioners, but that of advisers to the Commissioners. If any of your Lordships wished certain things to be done, you would naturally ask the advice of your agent, or of some person in whom you had confidence; and, having received that advice, you would either follow it or not as you thought best. But, because you acted in that way, was it to be said that the man with whom you took counsel was the manager of your property? I would refer your Lordships to the Correspondence on this subject which is before you; and to the Minutes of the proceedings of the Ecclesiastical Commissioners. You will find that at a meeting of the Estates Committee of that body, a communication was read from Mr. Charles Armstrong, and that a resolution was come to by the Commissioners referring that communication to Messrs. Smith and Gore for their observation. Accordingly, the latter gave the document their consideration; and I find that on the 9th of February they wrote what seems to me to be a very proper letter to the Ecclesiastical Commissioners. They said—

> "It is quite true that our Mr. Charles Smith, in dealing with the property on 2nd July last, expressed his expectation that Mr. Armstrong might be a tenant; but cautioned him not to depend upon it."

That is a very cautious proceeding; and one which does not, I think, give Mr. Armstrong any right to consider that he has been ill-treated by the Commissioners. With regard to the question of the charities, I think my noble Friend was rather hard upon the Commissioners. In my opinion, it would be very unwise if Parliament were to lay down hard-and-fast rules within which those gentlemen were to subscribe to every charity within a county, without giving them any power of consideration as to whether the different charities were such as should be contributed to or not. To do that would be to place the Commissioners in a position very different from that of any other landlords in the country. I do not know that your Lordships would always have subscribed to charities, however good they might be, if you had not been allowed to exercise your own discretion on the subject. I find that the practice of the Commissioners is to contribute as trustee owners would contribute under the sanction of the Court; and that is a very sound rule to follow. While I have deprecated hard-and-fast lines of the nature to which I have just referred, it is obvious that, in the position which they fill, the Commissioners must have general law for their guidance. That general law I have indicated; and, if they were compelled to abandon it, the result might be that they might get into difficulties from which it would not be easy for them to extricate themselves. Take one case as showing what the Commissioners do. I find that out of £2,000 expended in the restoration of Leighton Rimbold Church, the Ecclesiastical Commissioners subscribed £1,500. They also gave a site for a school; contributed £400 out of £684 towards the expense of its erection; and subscribed about £40 a-year towards its maintenance. The Ecclesiastical Commissioners do not neglect the duty which belongs to them; and that duty is exercised and discharged in a manner which does not deserve the description of it that the noble Earl has given.

THE EARL OF SANDWICH: All I have to say, in reply, is that I should like to hear the noble Duke repeat at any farmer's table the sentiments which he has just expressed.

THE DUKE OF RICHMOND AND GORDON: I shall be happy to meet the noble Earl at any farmer's table in the Kingdom.

VIVISECTION.

ADDRESS FOR PAPERS.

EARL DE LA WARR moved—

"That an humble Address be presented to Her Majesty for, Return of the names of Hospitals or other places registered for experiments upon living animals under the 39th and 40th Vict. chap. 77; also the number of such experiments from the 1st January, 1877, to 1st January, 1878; and for the Reports of the Inspectors appointed under the Act."

EARL BEAUCHAMP said, the Vivisection Act was passed in 1876. Last year, on the Motion of Mr. Mundella, certain Returns relating to that Act were presented to the House of Commons; and, although they were not also presented to the House of Lords, a copy of them would be found in their Lordships' Library. He understood that Returns on the same subject had again been moved for this year, and that they would contain more complete and detailed information than had previously been given. He would, therefore, suggest to the noble Earl, that it would be better for him to wait until those Returns were presented to the House of Commons; and then, if any further information was required, it would be for the noble Earl to move that it was expedient to add to them. With reference to the Reports of the Inspectors, which, under the Act, were required to be made to the Home Secretary and not to Parliament, there would be an objection to laying them upon the Table, because they were confidential documents. He thought their Lordships would see that, when gentlemen in the position of those Inspectors administered an Act of this nature, they had to make Reports of a character which it would be inexpedient should be brought before Parliament. If they were to be made public, the Reports would be framed in a different manner from that in which they were made at present, and the Secretary of State would be left without the same detailed information which he now possessed in consequence of the confidential nature of the documents.

LORD TRURO thought the public were indebted to the noble Earl opposite (Earl De La Warr) for bringing forward this question. Their Lordships were aware that, not long ago, a Royal Commission was appointed for the purpose of inquiring into the extent of the practice of vivisection and into its general character; and also for the purpose of recommending any steps which might be considered desirable, in the public interest, in to control the enormities which were committed under that system. Upon a question which was not merely a scientific one, but one which partook very much of a humanitarian character, it seemed to him that it would have been extremely desirable to have appointed some other men on that Commission than two most notorious vivisectionists, a most ardent and experienced sportsman, and two or three officials who were more likely to look at the question from the point of expediency than from that of humanity. Certainly, however, the exposition of horrors which had been given in the Report of the Commission surpassed anything he had ever yet read. If anything was really intended to be answered by the appointment of the Commission, it was that the public should have some security that no more operations than were absolutely necessary should be performed. In order that no more horrors should be perpetrated than were absolutely necessary, it was essential that not only the names of the places licensed should be made known, but also those of the licensees and the Inspectors. In the evidence given before the Commission were the opinions either uniform or overwhelming in favour of vivisection? On the contrary, he thought nothing could be more contradictory than the views of the witnesses. A great number were of opinion that vivisection had done little or nothing for science; and many others thought that not a few of the conclusions arrived at through vivisection were erroneous. A more unsatisfactory basis for the recommendations of the Commission could not be conceived. He was aware that this was not the occasion for discussing the subject thoroughly; but he would not fail to take some future opportunity, if other noble Lords did not do so, of again bringing the question forward. He could not help expressing his opinion, that if the Report of the Commission was to have any good effect—if the public were to be re-assured on this subject—it would only be by showing them that these enormities were to be controlled by men in whom they had confidence, and not merely by men who possessed the confidence of the Government.

Lord FORBES thought the enormities arising from the practice of vivisection should cease altogether, or be kept within the most circumscribed limits. He congratulated Ireland that the Returns, as far as that country was concerned, were *nil*—that, in fact, there were no places licensed there for experimental performances on living animals. He almost wished he could say the same for England and Scotland. The time might come, he still trusted and thought, when many of the experiments would be done away with altogether; and when those that were necessary would be performed in one place for the whole of the United Kingdom. There was no necessity, in his opinion, for multiplying the number of such places. If there was a School of Vivisection in London, it would meet all requisite purposes. Of course, medical men would say that that would not be sufficient, and there would not be enough practice. This plea, however, was a great mistake, for what was wanted was not practice, but the result of the operations. He thought it a great pity that the Returns should not be more voluminous than they were, and that the animals operated on should not be specified.

Earl DE LA WARR did not see why anything in connection with the Act should be kept secret; but as an assurance had been given that Returns would be laid before the House of Commons, he would withdraw his Motion. He regretted especially, however, that the Inspectors' Reports were not to be published. Surely nothing ought to be concealed? It was the very essence of the Act that the Reports should be made public; and there was nothing, in his opinion, to justify their suppression. The public interest was concerned in their publication; and on another occasion he would recur to the subject.

Motion (by leave of the House) *withdrawn.*

House adjourned at a quarter before Seven o'clock, till To-morrow, half past Ten o'clock.

HOUSE OF COMMONS,

Thursday, 4th July, 1878.

MINUTES.]—Public Bills—*Second Reading*—Truro Chapter [234].

Second Reading—Referred to Select Committee—Corrib (Galway) River [225].

Select Committee—Report—County of Hertford and Liberty of Saint Alban Act (1874) Amendment.

Committee — Report — Commutation of Tithes * [222].

Considered as amended — Roads and Bridges (Scotland) [224]; Idiots, &c. (Ireland) [149]; Marriage Preliminaries (Scotland) [86].

Third Reading — Epping Forest [228], and *passed.*

Lords Amendments considered—Monuments (Metropolis) (No. 2) [140].

QUESTIONS.

INDIA—CRIMINAL LAW—THE HIGH COURT OF MADRAS.—QUESTION.

Mr. P. A. TAYLOR asked the Under Secretary of State for India, Whether his attention has been called to the apparently extreme severity of punishment to which certain prisoners were sentenced by the High Court of Madras on the 25th of April last, as reported in the "Overland Athenæum and Daily News" of the 27th, viz., Syed Ahmed, convicted of picking a pocket, sentenced to "two years' rigorous imprisonment and to receive fifty lashes;" Yagen, sentenced for stealing out of a carriage one of the carriage moons and a book, to "three years' rigorous imprisonment;" Syed Mahommed, convicted of breaking into a house and stealing two cloths, to "two years' rigorous imprisonment and fifty lashes;" and, whether he will cause inquiry to be made into the circumstances?

Mr. E. STANHOPE: Sir, the newspaper to which the hon. Member refers states the punishment to which these three prisoners were sentenced, and also, as it seems to me, the reasons for its being of a severe character. The first prisoner admitted three previous convictions, the second four, and the third two previous convictions. In these circumstances there is no intention of making any further inquiry into the matter.

PUBLIC HEALTH—SANITARY CONDITION OF ASCOT.—QUESTION.

Mr. WALSH asked the President of the Local Government Board, Whether the Commission appointed to inquire into the sanitary condition of Ascot has made any Report on the subject; and, if so, whether the Local Government Board contemplate taking any action on that Report, and whether he will lay the Report upon the Table of the House?

Mr. SCLATER-BOOTH, in reply, said, the inquiry into the sanitary state of Ascot had been made, not by any Commission appointed for the purpose, but by an Engineer connected with the Local Government Board. The inquiry was of a very delicate and difficult character, and took a long time. Although ordered 12 months ago, the Report had been made only a few days ago, and he had not yet had time to consider it. It was not usual to lay such Reports on the Table, but he should have no objection to do so in this case. The Report would be referred to the local authority when he had had an opportunity of forming a decision upon it.

WAYS AND MEANS—ADDITIONAL EXPENDITURE.—QUESTION.

Mr. CHILDERS asked Mr. Chancellor of the Exchequer, When he will state to the House the provision required for the additional expenditure proposed since the Budget?

The CHANCELLOR of the EXCHEQUER: Sir, the House will see that there would be no object in my making a statement with regard to the effect of additional expenditure on the finance of the year until I am in a condition to state the amount of the Supplementary Estimates likely to be required; and this hardly could be done till the conclusion of the negotiations at Berlin. But I am led to hope that these negotiations are now so far advanced, that I may expect in 10 days or a fortnight to be able to make up the accounts and to make a statement in the House very shortly afterwards.

THE FOREIGN OFFICE—OCCASIONAL WRITERS.—QUESTION.

Mr. CHILDERS asked the Under Secretary of State for Foreign Affairs, Whether it is consistent with the rules of the Foreign Office that writers, engaged at wages by the hour, should be employed in connection with secret and confidential documents, such as the Memorandum of Count Schouvaloff and Lord Salisbury of the 30th May; and, if not, under what circumstances Charles Marvin was so employed?

Mr. BOURKE: Sir, I will answer the first part of the Question of the right hon. Gentleman in the negative. As to the second, I would say that as the whole matter is the subject of a judicial investigation still pending, it would be contrary to precedent and injurious to the public interests that any explanation of the circumstances should at this moment be made to Parliament.

ARMY—NATIONALITY OF ADJUTANTS.

QUESTION.

Major O'BEIRNE asked the Secretary of State for War, If he can give the number of English, Irish, and Scotch Officers respectively in Her Majesty's Service holding at present the appointment of Adjutant in a Yeomanry Regiment or Volunteer Corps, and the proportion of Irish Officers in Cavalry and Infantry of the Line to that of other Nationalities; and, if he will explain why by the last official Army List forty-four Adjutancies of Volunteer Corps are at present held by Officers whose regiments are in a different sub-district, thereby disregarding the third consideration mentioned in the reply of the 27th ultimo as determining such appointments?

Colonel STANLEY: Sir, I have not been able, although I have made inquiries, to ascertain the numbers requested in the first part of the Question. If the hon. and gallant Gentleman will move for the Return—I doubt whether it will be worth while finding—I shall be happy to produce it. With regard to the second part of the Question, it will be necessary to follow up the personal and military history of all the officers who are referred to. I am not able at the present time to give the information; but if the hon. and gallant Gentleman will repeat the Question when I have obtained the information, I shall be happy to give it.

MILITARY FORCES OF THE CROWN—THE RESERVE MEN.—QUESTION.

Mr. RATHBONE asked the Secretary of State for War, If he has made arrangements to allow the men called out in the Reserve to return to their families and work as soon as peace shall be secured at the termination of the present meeting of Congress?

Colonel STANLEY: Sir, as I understand it, the object of Lord Cardwell's Act, or one of its objects, was that Reserve men when called out should not be detained with the Colours longer than might be necessary. I am not able to answer the Question further. Perhaps, if the hon. Member repeats his Question at some future time, I may be able to be more explicit.

POOR LAW—THE BASINGSTOKE UNION CASUALS.—QUESTION.

Mr. Serjeant SPINKS (for Colonel Naghten) asked the President of the Local Government Board, Whether, with a view to reduce vagrancy, he would recommend an uniform task for casuals in the different unions, such as is now enforced in Basingstoke Union?

Mr. SCLATER-BOOTH, in reply, said, that under an Act passed in 1870, a uniform task was set out for casuals in the Unions in all the rural sanitary districts in the Kingdom. In some places some variation had been allowed in that task, and if it was found to have produced satisfactory results, there would be no objection to re-view or re-cast the general Order; but the circumstances of Basingstoke, which was specially mentioned, were very different from those of most other places, and he was afraid, therefore, the Order in force there would scarcely be applicable to other Unions.

MEDICAL REFORM—BILLS BEFORE PARLIAMENT.—QUESTION.

Mr. ERRINGTON asked the Vice President of the Council, Whether he can inform the House what course he proposes to take with reference to the Medical Act Amendment; whether, considering the great differences of opinion which exist on the question of medical reform, and the late period of the Session at which we have now arrived, the various Medical Bills standing for Second Reading for Thursday 11th July, he will consent to refer the whole question to a Select Committee, in accordance with the petitions of various medical bodies; and, if so, whether he will take an early opportunity of moving for the Committee, so that the inquiry may be actually started this Session, and, having obtained the full attention of the medical profession during the Autumn, may be resumed early next Session under the most favourable circumstances?

Lord GEORGE HAMILTON: Sir, the whole question of medical education and reform has been thoroughly discussed by the many and various deputations visiting the Lord President and myself; and, in our opinion, although there is a certain discrepancy of opinion among the various interested bodies upon minor details, the main question presents no difficulties that may not be satisfactorily settled when discussed. I may add that the objects of all the Bills now before Parliament on the subject are the same and can be covered by the Government Bill. The only question not yet ripe for legislation is that of a re-construction of the Medical Council with a view to the direct representation of the general body of practitioners. This matter does require further consideration, but need not in any way prevent the passing of the Government Act this Session. We must, therefore, decline to entertain the proposal of referring our proposals to a Select Committee, for we feel sure that if time will permit of their discussion we may reckon upon the assistance of the House in helping us in carrying reforms so earnestly desired by the great majority of the Medical Profession.

ARMY—OFFICERS OF ARTILLERY AND ENGINEERS—ARREARS OF PAY.

QUESTION.

Colonel ARBUTHNOT asked the Under Secretary of State for India, Whether the Secretary of State in Council has yet arrived at any, and, if so, what decision with regard to the claim for arrears of pay by Majors of Royal Artillery and Royal Engineers, recently reported on by a Select Committee of this House?

Mr. E. STANHOPE: Sir, the Report of the Select Committee has been considered by the Secretary of State in Council, and a telegram has been sent to the Viceroy, which, with the permission of the House, I will read—

> "Parliamentary Committee on Artillery and Engineer Officers' Arrears of Pay recommend payment of all arrears less 200 rupees monthly when in receipt of contract allowances or less special command allowances for heavy or garrison batteries. I have concurred. All claims from officers at home will go to India for check. I wish the claims settled on this basis as expeditiously as possible."

EDUCATION DEPARTMENT—SCHOOL FEES.—QUESTION.

Mr. **PELL** asked the Vice President of the Council, Whether, before giving consent to the weekly fee prescribed by a School Board, the Education Department cause inquiry to be made in the School Board District as to the ability of parents resident therein to contribute towards the elementary education of their children; and, if so, by whom such inquiry is conducted on behalf of the Department; whether it is made on the spot, and from whom information is sought; further, what special circumstances are held to justify the consent of the Department to so low a fee as one penny per week; whether in such cases any written statement of reasons is made to the Department; and, if so, whether he would lay upon the Table of the House some or all of such statements so far as relates to the London School Board Schools?

Lord **GEORGE HAMILTON**: Sir, before assenting to the weekly fees proposed by School Boards, an inquiry is always made by the Educational Inspector of the district, the inquiry is made on the spot, and information is sought for from those whose opinions or experience are likely to throw light upon the condition of the neighbourhood. The circumstances vary so in each district, that it would be difficult to lay down any absolute rule as to the sanction of low fees. Speaking generally, the fees are regulated by the requirement and social condition of those for whom the schools are provided. A written statement is made to the Department before their sanction is given. I have not yet had time to look through the statements relating to the London Board Schools; but if my hon. Friend will confer with me, I will see how far we can give him information upon the subject.

MUNICIPAL CORPORATIONS COMMISSION—LOSTWITHIEL.—QUESTION.

Sir **CHARLES W. DILKE** asked the Paymaster General, Whether, as Chairman of the Municipal Corporations Commission, his attention has been drawn to an abstract of accounts dated 31st December 1877, from which it appears that the Corporation of Lostwithiel have charged—out of a total expenditure for the year, amounting to £413 19*s.* 4*d.*, and largely in excess of their net income—a sum of £114 7*s.* 6*d.* for "Expenses relative to inquiries of the Royal Commissioners on Unreformed Corporations;" and, whether the Commissioners have repaid to the witnesses who attended before them from Lostwithiel to give evidence on behalf of the Corporation the expenses of their attendance, as no such repayments are mentioned on the corresponding side of the above-mentioned abstract of accounts?

Mr. **STEPHEN CAVE**: No, Sir; I knew nothing of this abstract before the hon. Baronet gave me Notice of his Question, because the evidence with respect to Lostwithiel was taken last year, and the Commissioners have, throughout their inquiry into these Corporations, examined, as far as possible, for obvious reasons, the accounts issued before the appointment of the Commission. This Lostwithiel balance-sheet shows that had it not been for expenses caused by our inquiry, the expenditure would have been considerably within the income. The Commissioners have paid the witnesses from Lostwithiel according to the Treasury scale, which allows only for travelling expenses and loss of time. There must have been heavy charges incurred in the preparation of the voluminous accounts and papers furnished by the solicitor of the Corporation. Such charges would be distinct from the personal expenses of witnesses, and unless included in the £114 7*s.* 6*d.*, which does not seem probable, would, of course, not be entered on the other side.

CRIMINAL CODE (INDICTABLE OFFENCES) BILL.—QUESTIONS.

Mr. **MORGAN LLOYD** asked Mr. Chancellor of the Exchequer, Whether the Government has determined upon any method for subjecting the

Criminal Code (Indictable Offences) Bill to a full and complete revision; and, if so, whether he will state what course is intended to be pursued?

THE CHANCELLOR OF THE EXCHEQUER: Sir, I shall be obliged if the hon. and learned Gentleman will repeat the Question this day week, by which time I hope to be able to answer it.

MR. RATHBONE asked Mr. Attorney General, If he would cause the explanatory Memorandum on the Criminal Law Amendment Bill, by Sir James Stephen, which appeared recently in the "Times" newspaper, to be printed as a Parliamentary Paper, and circulated to Members?

THE ATTORNEY GENERAL (Sir JOHN HOLKER), in reply, said, that, before the hon. Member's Question had appeared on the Paper, he had determined to print as a Parliamentary Paper the Memorandum referred to.

EDUCATION (IRELAND)—IRISH LANGUAGE.—QUESTION.

MR. O'CONNOR POWER asked the Chief Secretary for Ireland, If he has any objection to lay upon the Table of the House, and cause to be printed, a Copy of the influentially signed memorial recently presented to the Commissioners of National Education in Ireland, in favour of placing the teaching of the Irish language on the voluntary and results programme of the National Schools, under the same conditions as that of Latin, Greek, and French?

MR. J. LOWTHER: Sir, I have no objection to present the Memorial. The most convenient course would be for the hon. Gentleman to move for it and take it as an unopposed Return.

PARLIAMENT—ORDER OF BUSINESS.

QUESTIONS.

MR. GOSCHEN asked the President of the Local Government Board, Whether he is prepared to make a statement to the House as to the order in which he will proceed with the several Bills which he has introduced?

MR. SCLATER-BOOTH, in reply, said, it had been the intention of the Government that the Valuation Bill, which, after Whitsuntide, stood first on the Notice Paper, should be completed in Committee before any progress was made with the Highways Bill. The House was aware that on Friday afternoon, from accidental circumstances, it became convenient, not only that the Speaker should leave the Chair, but that considerable progress should be made in Committee with the Highways Bill. That having been the case, to-morrow (Friday) would probably be sufficient to complete the Committee on the Highways Bill, which it was proposed to take at 2 o'clock. The Highways Bill now contained provisions which would conflict with some provisions of the County Government Bill, so that if the Highways Bill passed it would be necessary to move that the Order for the County Government Bill should be discharged. The Valuation Bill would be proceeded with after the Committee on the Highways Bill.

THE MARQUESS OF HARTINGTON: I beg to ask the Chancellor of the Exchequer, Whether the Government intend to proceed on Monday with the Contagious Diseases Animals Bill, for which day I believe it now stands? I understand, with reference to the Business to-morrow, that the Government intend to proceed with the Highways Bill. I should be glad to know whether that will be the first Business? I would take the opportunity of repeating to the Government the request that they will give to the House all the information they are able to give with regard to their intention as to Business; because I think on one or two recent occasions Business has come on unexpectedly, while Business that was expected to come on was not taken. I do not know whether it was our fault or not, but I find there is considerable ignorance as to the fact that it was the intention of the Government to take the Education Estimates to-day. I appeal to the Government to give all the information in their power as to their intentions.

MR. DILLWYN said, perhaps the House would be informed when it was proposed to take the Admiralty and War Office Bill?

MR. FAWCETT said, he should be glad to know whether it was the intention of the Government to proceed with the Inclosure Bill?

MR. O'SHAUGHNESSY asked, When it was proposed to take the second reading of the Irish Intermediate Education Bill, which stands for third reading in the House of Lords to-morrow?

THE CHANCELLOR OF THE EXCHEQUER: Sir, I think the various Questions which have now been put strikingly illustrate the great difficulty under which we labour with regard to fixing the order of Business. There are a number of measures with which we have to proceed; some are of considerable importance, but the discussion on them, if reached, would not occupy any inordinate length of time. For instance, the Inclosure Bill, to which reference has been made, and the Admiralty and War Office Bill, and others to which I might refer. We have been putting these Bills down night after night in the hope that in the course of the evening opportunity might arise for taking them and proceeding with them; but the time has been spent over the Orders which stood first, and we have found it exceedingly difficult to proceed with these Bills. I am constantly asked by Members who take an interest in one or the other Bill to put them down as the First Order for this day or that day; but if that were done, it would interfere very much with the Business which we otherwise desire to proceed with. I am sorry to learn from the noble Lord that there is any surprise on the part of the Members of this House as to the Education Votes being taken to-night. I think I publicly stated this two or three nights ago, and the Notice has been on the Paper for two days. With regard to what is proposed to be done, my right hon. Friend the President of the Local Government Board has already stated that we propose to take the Highways Bill as the First Order at the Morning Sitting to-morrow. With regard to Monday, we propose to take the Contagious Diseases (Animals) Bill. I am not able to say positively what Business we shall be able to proceed with on the Tuesday and the following days, but there is the remainder of the discussion on the Roads and Bridges (Scotland) Bill, which we had hoped might be concluded in one sitting, but which still remains—with, however, only a small amount of work to be done. There are the Admiralty and War Office Bill and the Inclosure Bill, which we are anxious to get forward, if possible; but I do not like to make promises, because if you make a promise you may find afterwards that the arrangements for one Bill clash with what can be done with regard to others. With regard to the Question put to me by the hon. Member for Limerick as to what day we propose to take the second reading of the Irish Intermediate Education Bill, I would remind him that Thursday, the 11th, has already been promised for the Irish Sunday Closing Bill, and the earliest day, subject to that arrangement, which can be appointed for the Bill to which the hon. Member refers is Monday, the 15th instant. If any change could be made between the one Bill and the other, it would be acceptable to the Government.

DR. CAMERON reminded the right hon. Gentleman, with regard to what he had said as to the Roads and Bridges Bill, that that measure was to be taken that night. Was he to understand that the Bill would be taken after Supply?

THE CHANCELLOR OF THE EXCHEQUER: I hope we may be able to take it after the Estimates to-night.

ORDERS OF THE DAY.

EPPING FOREST BILL—[BILL 188.]

(*Sir Henry Selwin-Ibbetson, Mr. Noel.*)

THIRD READING.

Order for Third Reading read.

Motion made, and Question proposed, "That the Bill be now read the third time."—(*Sir Henry Selwin-Ibbetson.*)

MR. FAWCETT, in rising to move—

> "That the Order for the third reading of this Bill be discharged, and that the Bill be re-committed, in order to insert an Amendment in Clause 30, to provide for the representation of the Metropolitan Board of Works on the Committee of Management,"

said, that nothing was farther from his mind than to do anything which might be considered hostile to the City, and no one was more anxious than he was to pay a tribute of gratitude to the successful efforts made by the City authorities with regard to the preservation of Epping Forest to the people. There were, however, many people who took an interest in the preservation of the Forest long before the Corporation took it up, and if it had not been for the services of those people there would not now have been any part of the Forest to be preserved. He did not found his action on any Party question. He believed that the first Gentleman who interested himself in the matter was the Conservative Member for Maldon (Mr. Sandford). He did not wish, in the slightest degree, to take away from the City the absolute supremacy in the management of the Forest. By Clause 30 the whole of the Forest was vested for ever in the Corporation of the City of London as Conservators; they would, in fact, be the possessors of the Forest, and what he proposed was simply to give the people of London outside the limits of the City some voice in the management of the Forest—not a controlling voice—because if this proposal was carried out the position would be this—The Corporation would have the Forest absolutely vested in them, and would nominate 12 of the committee of management, whilst the commoners and the Metropolitan Board of Works, as representing the inhabitants outside the City, would each nominate four members. If his Amendment were adopted, the City would still be left with absolute control, having 12 out of 20 members on the committee of management, or certainly three times as many as the whole of the rest of London put together. He was not going to say one word in opposition to or defence of the Board of Works. All that it was necessary for him to say was that the Board of Works was the only body which could represent the Metropolis as a whole. It appeared to be assumed that the Corporation of the City of London paid the whole of the money in question out of their own pockets; whereas the fact was that the money spent hitherto, and what would be spent in future under the Bill for purchasing the rights of the lords of the manor, was not money which could in any sense be considered to belong to the City, but was money provided by taxes which fell upon the inhabitants of London at large. The money had to be provided by the corn duties, which fell upon every inhabitant of the Metropolis. The Metropolitan Board of Works, therefore, as representing the outside districts, ought to have a voice in the management. It might be asked, what could four members possibly do against 12? Well, in the first place, there was a principle involved in the question. What he wanted to assert by his Amendment was that Epping Forest did not belong to the City, but had to be administered for the whole of London, and that the whole of the Metropolis should be represented on the managing committee. It was quite possible that the City might do things—prompted by the best feelings—which would not be in accordance with the feeling of those outside the City bounds. For instance, he would refer to what was said the other evening by the hon. Member for Finsbury (Sir Andrew Lusk). The hon. Member said—"Pass the Bill, be good to the City, and the City in return will give you some great civic entertainment in the Forest"—the most alarming thing in the future, so far as the Forest was concerned, that he could conceive. If the City thought that, in order to repay the public for the generous appreciation of their effort, they should organize some great civic entertainment, and bring round the Lord Mayor to it with his coach-and-six, it was only fair that the rest of London should have some opportunity of saying whether the Forest should not rather be left to its own seclusion. There might be people who desired to spend a quiet day in the Forest, and probably the last thing they would desire to encounter would be a great civic entertainment. He would rather see the Forest left to its own seclusion, and that civic hospitality should confine itself as heretofore to the regions of the Mansion House and the Guildhall. It was said that it might be invidious to propose that there should be a representation of the Metropolitan Board of Works on the committee of management, as they and the Corporation were not on the most harmonious relations; but it had been his good fortune to be present when the two bodies met in convivial fraternity; and, if one-tenth of the compliments which the Metropolitan Board paid to the City were to be accepted, and if one-twentieth of the compliments which the City paid to the Metropolitan Board were to be accepted, we must come to the conclusion that the feeling they entertained of all others was that they should be brought into closer association in order that they might more fully appreciate those admirable qualities which the one discovered in the other. If a selection was not to be made from the Metropolitan Board of Works for representation on the committee of management, from what body was it to be made? It could not be from all London or from the School Board, and when the selection was made from the Metropolitan Board of Works it was made from the only body which at the present time exercised any sort of municipal authority, and from a body which had already been intrusted with the control of most of the open spaces around London. He had not brought forward his Amendment in the slightest degree at the suggestion of the Metropolitan Board, or, indeed, with the previous knowledge of any of its members. He brought it forward not simply in the interests of the Metropolitan Board, but in order to assert the principle that Epping Forest belonged to the whole of London. This Forest having been saved by money which had been contributed, to a great extent, by the whole of London, and as money was to be spent upon it which was to be contributed by the whole of London, it was only fair and right that London should have a voice in the management. He, therefore, trusted the House would not refuse the moderate representation which he proposed for the districts lying outside the City.

MR. GOSCHEN was proceeding to address the House, when——

MR. SPEAKER asked if the right hon. Gentleman proposed to second the Amendment?

MR. GOSCHEN: No, Sir, on the contrary.

SIR CHARLES W. DILKE seconded the Amendment, but pointed out that when he brought the subject forward the other night no proposal was made for a representation of the Metropolitan Board of Works, as he had only raised the general question in favour of the public being in some measure represented on the committee of management. He thought that London generally should be represented, and, therefore, he seconded the Amendment.

Amendment proposed,

To leave out from the word "be" to end of the Question, in order to add the words "re-committed, in order to insert an Amendment in Clause 30, to provide for the representation of the Metropolitan Board of Works on the Committee of Management,"—(*Mr. Fawcett,*) —instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

SIR HENRY SELWIN-IBBETSON said, he rose early to answer the hon. Member for Hackney (Mr. Fawcett); because the subject had already, on more than one occasion, been discussed in the House. The history of this struggle had been stated oftener than once. As far back as 1864 this question of dealing with Epping Forest was raised by the then Secretary to the Treasury, and in June of that year he applied to the Metropolitan Board of Works by letter, asking them to consider whether they could not take up the subject with the view of treating it under their powers for the preservation of commons in the interests of the public. In October of the same year, after careful consideration of the whole case, they refused to accept any responsibility in the matter, and stated, in answer to questions put to them by the Treasury, that the area in question was wholly beyond their jurisdiction, and that they had arrived at the conclusion that the case was not one which their powers enabled them to deal with, or with which they could advantageously interfere. That seemed to have been the opinion of the Metropolitan Board of Works until the time when a right hon. Gentleman opposite carried against the Government a Motion for an Address to the Crown in regard to the preservation of Epping Forest as an open space. What had happened since 1871? Since that year the City of London had come forward as champions of Epping Forest as an open space. They had done something more than that. They had expended money in the purchase of the freehold rights of the soil, with the view and under the condition of keeping that freehold soil open for the benefit of the public, and they had done this previous to any attempt to make them Conservators of this space. And when he came to the discussion which had taken place during some years before the Epping Forest Commission, which was appointed in 1871, he found the Metropolitan Board claiming to be heard as being constituted authorities. The Epping Forest Commissioners went into the case, and decided absolutely against them and in favour of their rivals, the City of London, on this particular question. The hon. Member for Hackney had laid great stress on this particular point that the money by which these freehold rights had been acquired, and by which, under the clauses of this Bill, the City proposed to deal with the further purchase of the rights still unacquired, was money raised in grain dues on the whole town; and that, therefore, the whole of London should be represented in the management and expenditure of that money. But what had been the history of that money in the past? Up to the present moment that money had been raised from the inhabitants of the town generally, and it had been decided up to the present time that it should be administered by the City of London and not by a body representing the whole of the inhabitants. There had been no suggestion that the Corporation had not dealt properly with the money, and that, therefore, the Metropolitan Board should have a voice in the matter. He could not see, therefore, why such a proposal should be brought forward now, when the question had already been decided on more than one occasion by the Epping Forest Commissioners against the Metropolitan Board of Works——

Mr. FAWCETT said, he was sorry to interrupt the hon. Gentleman, but the question decided by the Epping Forest Commissioners was not that the Metropolitan Board should have no representation, but as to whether the whole management should be intrusted to the City or to the Metropolitan Board. The question of a joint representation was never brought before the Commissioners.

Sir HENRY SELWIN-IBBETSON said, he was afraid that the hon. Member for Hackney had not considered the Report of the Commissioners so carefully as he had done himself. What they decided was that the representation should consist of the Corporation of the City of London, with the addition of certain Verderers who were named. The Metropolitan Board of Works was not considered at all in reference to the matter. He could not deduce from the arguments of the hon. Member any reason why it should now be thought necessary to amalgamate with the City of London for the management and expenditure of the money any fresh body. What he had formerly stated in answer to the hon. Baronet (Sir Charles W. Dilke) was the only answer he could give now. The Government had carefully considered the question, they had determined on all they facts submitted to them, and on the evidence and Report of the Commission, that the proper constituent body for the future management of the money was a body formed as between the representatives of those who had hitherto spent the money in the interests of preserving the Forest as an open space and the representatives of those inhabitants who as commoners had a distinct existing right to the open space itself. These were the representatives who had been selected by the Government as the future managers; and, in these circumstances, he asked the House not to re-open the question by entertaining any proposal for the introduction of a fresh element, which he certainly thought was entirely foreign to the purpose in view.

Sir JAMES M'GAREL-HOGG said, he could quite endorse what had been said by the hon. Member for Hackney as to his having brought forward the Amendment without consultation with the Metropolitan Board of Works. Although he was Chairman of that Board, he had been so much taken by surprise in the matter, that he had not had any opportunity of communicating on the subject with his Colleagues. When the question was before the Epping Forest Commissioners, the Metropolitan Board made certain other suggestions besides that relating to their claim to be the proper authority for the care of the Forest as an open space—namely, as to a deer park, shooting licences, and other matters. Some of these suggestions were adopted by the Commissioners, although others were not considered desirable. The Commissioners certainly did not think it right that the Metropolitan Board should be brought in as an authority. As to what the Secretary to the Treasury had said regarding a change of mind on the part of the Metropolitan Board of Works, the Metropolitan Board was not singular in that respect, and so august a body as the House of Commons itself sometimes changed its decisions. At any rate, having already been intrusted by Parliament with the care of open spaces in the interests of the public, the Metropolitan Board of Works considered that they were the proper body to undertake the management of Epping Forest, and it was on that ground that they sought to be heard before the Commissioners. In supporting his hon. Friend the Member for Hackney, he did not wish in any way to detract from the credit due to the City for the exertions it had made and the public spirit it had shown in this matter; but, as the money was provided by the whole Metropolis, the Metropolis ought to have some share in the representation, though the City was to have the largest share. If, then, it should be the pleasure of the House to give four representatives to the Metropolis, he could answer for the Metropolitan Board that they would endeavour to choose the best men.

MR. SHAW LEFEVRE said, though there was a good deal in the argument of his hon. Friend the Member for Hackney, and though he had himself pressed on the Government the propriety of giving some representation to the Metropolis, he did not think the proposition before the House, on the whole, either expedient or wise. We could not altogether dissociate this question from the previous action of the Metropolitan Board. In 1864, the Government offered the management of the Forest to the Metropolitan Board, and to concede the Crown's rights to it; but the Metropolitan Board declined to have anything to do with the affair, and in the following year, when an important deputation waited on the Chairman, he said that the matter was entirely out of his jurisdiction. In 1869, for the first time, the Metropolitan Board made the astounding proposition that Epping Forest should be divided equally between the lords of the manor and the public. That was a scheme which prevented those who advocated the rights of the public from having any sympathy with the Metropolitan Board on the question. In 1872, when the grain duties were continued to the City of London by Act of Parliament, it was proposed that the fund arising from them should be used exclusively in preserving the open spaces of the Metropolis; but the Metropolitan Board objected to the City spending any of the money on open spaces within the Metropolitan district. Looking to past history, he considered that the introduction of members from the Metropolitan Board of Works, as delegates of an Assembly which itself consisted of delegated vestrymen, into the management of the Forest, would produce an element of confusion rather than the reverse. He should like to have seen some representation of the people in the management; but, as the proposition before the House was not the best mode of dealing with the subject, he should vote against the Amendment.

MR. RITCHIE said, that the Secretary to the Treasury and the hon. Gentleman who had just spoken had mistaken the argument of the hon. Member for Hackney. It was not the Metropolitan Board that his hon. Friend wished to see represented, but the inhabitants of the Metropolis generally, and the Metropolitan Board was the only body which could in any sense be said to speak for them. In his opinion, the Metropolitan Board required a good deal of improvement; but the real question was, whether the inhabitants of the Metropolis outside the City should have any sort of representation in the body about to be formed? It was desirable that those who enjoyed the Forest should be represented. He should be the last to disparage what the Corporation of the City had done to obtain the Forest for the people; but they could not in any sense of the word be said to represent those who would use it, because those who lived within the City were those who would least use the Forest. Besides, the people of the Metropolis outside the City had the right to representation from another point of view—they very largely contributed to the fund which would maintain the Forest.

MR. GOSCHEN said, he would address himself almost exclusively to the point raised by the hon. Gentleman who had just sat down—namely, the claim arising from the finance of the matter. It had been said that this money came from the Metropolis at large. The grain duties belonged from time immemorial to the Corporation of the City of London, and in 1872, with the consent of Parliament, they made an arrangement which he would explain. The metage duties reached about

£50,000, but only £14,000 went into the pocket of the Corporation; the rest was spent on collection. There was great waste. The City then consented to give up the rights of metage it had enjoyed for a small tax; and, whereas formerly it had the exclusive right to the employment of the fund, in 1872 it agreed that the money should be applied for the purpose of preserving open spaces outside the Metropolis. The Metropolitan Board, which now put itself forward as the representative of the public, not only claimed no share then in the management of the fund, but said distinctly they did not wish that any portion of the money thus raised from the taxpayers of the Metropolis should be spent on preserving open spaces in the Metropolis. That was an extraordinary bargain, and they had foregone the right of interfering with that money now. He would only detain the House to say that it was rather late in the day—at the third reading of the Bill, after the Forest had been rescued and the battle won—for the Metropolitan Board of Works which had taken no part in the struggle, to put forward such a claim as that urged by the hon. Member for Hackney.

Mr. COOPE said, the proposition to include the Metropolitan Board of Works in the management of Epping Forest was—he might almost say—a monstrous one. They had done nothing to save the Forest from being inclosed by individuals; on the contrary, they had specially declined the suggestion of the Government to take the matter into their own hands and do something in that direction. He thought his excellent Friend the Member for Truro (Sir James M'Garel-Hogg) might fairly have declined to accept the proposal as made by the hon. Member for Hackney. The Corporation had behaved with true nobleness of spirit in this matter, and had expended large sums in the promotion of this great public object. In these circumstances, he hoped the House would reject the proposal by a large majority.

Sir ANDREW LUSK said, he did not think the hon. Member for Hackney (Mr. Fawcett) had shown much generosity on the present occasion. The City of London had commenced this struggle in 1871, when there were no funds available but their own, and they had spent more than the grain duties would ever recoup. Now that the struggle had been happily concluded, the City of London would rather not have the assistance of the Metropolitan Board. The Metropolitan Board had already a great many parks to manage. Besides, they had the floods to control; and they had not yet managed the floods.

Mr. COWPER-TEMPLE said, he hoped it would be remembered that the whole policy of the Metropolitan Board had been not to take any interest in or help forward the movement for the preservation of Epping Forest; whereas the Corporation had always taken a patriotic and public-spirited view of the matter. By adopting the proposal of the hon. Member for Hackney, they would certainly not encourage the Corporation to engage in similar good work for the future.

Mr. HOPWOOD contended, that the population of London outside the City should be as adequately represented on the Board as the City itself.

Question put.

The House *divided:* — Ayes 209; Noes 49: Majority 160.—(Div. List, No. 194.)

Mr. SHAW LEFEVRE inquired whether Sir Arthur Hobhouse, who was nominated as Arbitrator under the Bill, had consented to serve? He might take that opportunity of remarking that the appointment was one which would give satisfaction.

Sir HENRY SELWIN-IBBETSON said, he had already announced in the Select Committee that Sir Arthur Hobhouse had accepted the office of Arbitrator, and his name accordingly appeared in the reprint of the Bill.

Main Question put, and *agreed to.*

Bill read the third time (Queen's *Consent* signified), and *passed.*

SUPPLY.—COMMITTEE.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

ELEMENTARY EDUCATION CODE— NATURAL SCIENCE.—RESOLUTION.

SIR JOHN LUBBOCK, in rising to move—

> "That it would be desirable to modify the Code of Education by adding Elementary Natural Science to the subjects mentioned in Article 19, c. 1,"

said, that by natural science he did not mean anything difficult or abstruse, but simple explanations of the ordinary phenomena of nature, and of the world in which they lived. According to the provisions of the clause just referred to, the sum of 4*s.* per scholar was granted if the classes from which the children were examined in Standards II. to VI. passed a creditable examination in any of the following subjects :—namely, grammar, history, elementary geography, and plain needlework. It was evident, in these circumstances, that no other subjects could practically or would be taught to any extent in elementary schools. In the whole of England and Wales, according to last year's Report, out of 3,100,000 children in their elementary schools, history, geography, and grammar formed part of the examination of more than 1,000,000. This was in itself, no doubt, a matter of congratulation and a very considerable improvement. Nevertheless, it was obvious that under the existing regulations, all other subjects were very much discouraged. To prescribe any exact course of education to be followed in all elementary schools, independent of circumstances, was a mistake. Having too long left education entirely unregulated, they had now gone to the other extreme, and taken it almost entirely out of the hands of local bodies, the control being practically centred in Whitehall. Under this and other clauses, the Code of education laid down such minute rules as to what was to be taught that school committees and even schoolmasters had little voice in the matter. The best men would gradually cease to serve on School Boards if they were deprived of any voice as to the education to be given. It must be a mistake to prescribe an exact canon of education until we were quite sure what system was the best; but on this point the highest authorities were much divided. The Education Department practically excluded science. But the Committee of this House, which sat in 1868, under the presidency of the hon. Member for Banbury (Mr. B. Samuelson), strongly recommended that "elementary instruction in the phenomena of nature should be given in elementary schools." Again, the Royal Commission presided over by the Duke of Devonshire reported that in their opinion instruction in the rudiments of physical science should form a recognized part of the school course. He could quote numerous high authorities in support of the same opinion, but was reluctant to occupy the time of the House. Dean Dawes, for instance, and Mr. Henslow, who founded two of the most excellent of village schools, attributed much of their success to the introduction of elementary science. He (Sir John Lubbock) did not ask for anything difficult or abstruse, or beyond the power of a child's comprehension; but simply desired that they should be instructed in the simple every day phenomena of nature, such as the causes of day and night, heat and cold, summer and winter, the reason why the moon had phases, and not the other heavenly bodies; the difference between planets and stars, the causes of eclipses and tides, the composition and ordinary properties of air and water, and the characteristics of soils; in chalk districts, dwelling especially on chalk, in coal countries, on coal; the simple forces, the lever, pulley, wheel, screw, and wedge; the ordinary rules which regulate health; to which he should also like to add some knowledge of the commoner objects by which children were surrounded. These matters should be treated in a very simple and easy manner, and would become within the comprehension of children extremely interesting to them. Their education was at present entirely bookish, and the contact with things, with actual objects, would prove extremely beneficial. He could prove to them by the most abundant testimony from many of their best schoolmasters and of their most able school inspectors, and by the actual cases of schools in which the experiment had been tried, that science properly taught was most instructive and delightful to children. He was not proposing to make science obligatory; he only wished that an option should be given to school authorities: that a knowledge of the elementary facts of nature should in our elementary schools be put on the same footing as history, geography, and grammar. Last year, new conditions and limitations were, in the Scotch Code, attached to the teaching of science subjects, not because they were too difficult, but on the express ground that they were learnt by the children too easily and quickly. This change of front seemed to be founded on the Report of the Board of Education for Scotland. Hitherto, science had been discouraged on the ground that it was too difficult. In Scotland, nevertheless, it had proved so interesting to the children, that it began to force its way into the schools, and the Board at once took alarm, and recommended new conditions unfortunately adopted by the Department, in order to discourage it. If children learnt the amount prescribed so easily, surely the proper course was to demand a little more? Mr. Matthew Arnold, whom he had hitherto supposed to be of a different opinion, had, in his last Report, expressed himself as follows:—

> "I should like to see what the Germans call *naturkund* knowledge of the facts and laws of nature added as a class subject to grammar, geography, and English history. I would require the teaching of all four as class subjects in every elementary school to all scholars above the Third Standard, girls as well as boys. For the Second and Third Standards I would have grammar as at present, and, in addition to grammar, the element of *naturkund*."

Perhaps Mr. Arnold's proposal might be at present impossible, because their teachers had not yet received the necessary training; but the course now proposed would prepare the way for its adoption eventually. Some high authorities were of opinion that history and grammar, as taught in their elementary schools, were by no means suited to occupy the exclusive position now assigned to them. Of history, what was taught in elementary schools was little more than lists of dates, and kings, and wars; and it might be a serious misfortune that they accustomed their children to regard war as almost a normal state. As to grammar, the right hon. Member for Birmingham (Mr. John Bright), in a speech made in connection with an educational institution, said—

> "If there is any lad here who is engaged in learning grammar, I will undertake to say that he will say it is the very driest and most unpleasant study that any person ever put himself to. When I was at school, which is a long time ago, we learnt a grammar written by Lindley Murray. Lindley Murray's grammar had a great reputation then, and, for anything I know, has yet; but if it has, I pity the lads that have to learn it—there are no end of rules and no end of examples, rules within rules, and exceptions of all kinds; and I have now a feeling of utter confusion in my mind in endeavouring to understand all the rules of Lindley Murray's grammar. My opinion is that it is very difficult for any person who reads well-written books, and understands them, not to acquire a very competent knowledge of Grammar."

Göethe, also, he might mention in passing, had expressed a very similar feeling. Surely such opinions, from such authorities, were entitled to very great weight? He did not, however, ask that grammar should be excluded. He merely wished that it should not be put in such a position as to exclude other subjects. He only asked that school authorities should be allowed the option. Moreover, even supposing that the Amendment he had ventured to move was adopted, and that a school elected to give a certain amount of instruction in natural knowledge, this need not by any means exclude any of the existing subjects, because some might be taken up for one part of the school course, some for another. But even supposing that all educational authorities were agreed upon an ideal system, still to impose one identical course on all schools alike would even then be undesirable. As regarded the upper Standards, at any rate, some consideration should be given to locality, and the education given in a village school would naturally differ, in some respects, from that given in a school situated in a great city. Was it not advisable that some reference should be made in some schools to the staple industry of the district? This could be done, and made interesting to the children, without being in the nature of technical instruction. In their great mining districts, useful knowledge might be imparted which would be found valuable in after life. It was not unreasonable to suppose that if their coal miners had been fully impressed in their youth with the nature of fire-damp, many of the disastrous explosions so destructive to human life would have been avoided. The idiosyncrasies of the masters also ought to be considered, one man being peculiarly fitted to give instruction in a particular subject, while another was better qualified to deal with a different branch. Surely, then, to lay down such minute rules in the Code was a great mistake? It was, moreover, remarkable that the Government, to a certain extent, admitted this, because they did not impose on Scotland or on Ireland the same system as on England. The Scotch people were continually objecting to their system of education being reduced to what they described as the "low level" of England; but he should like to know why English boys and girls should not be taught the same subjects as children in Scotland? He did not know whether he should be told it was not desirable to modify the Code again; but even if we admitted that it would not be desirable to adopt any Resolution which would impose additional obligations or requirements on schools, the objection did not apply to such an alteration as that now proposed. He asked nothing new of the schools, of the Education Department, or, indeed, of anyone. His Resolution was entirely permissive in its character. If school committees did not notice the change, or did not care to avail themselves of it, no harm would be done. They would only give them an option, which they might use or not, as they thought best. Their eloquent countryman, Mr. Ruskin, had truly said that—

> "The whole force of education, until very lately, has been directed in every possible way to the destruction of the love of nature. The only knowledge which has been deemed essential among us is that of words, and next after it of the abstract sciences, while every liking shown by children for simple natural objects has been either violently checked or else scrupulously limited to hours of play, so that it has really been impossible for any child earnestly to study the works of God, but against its conscience; and the love of nature has become inherently the characteristic of truants and idlers."

Hitherto he had urged this Resolution on educational grounds; but he should like to say a few words on another aspect of the question. There was always, in every country, a tendency to, and a danger of, centralization. The advantages of each step in this direction were obvious; the dangers, perhaps, all the more perilous, because they were below the surface. Their municipal institutions were a great bulwark of their Parliamentary liberties; local self-government was an almost necessary training for Imperial self-government. From this point of view, also, it seemed very important that the power of local authorities should not be unnecessarily curtailed. He had attempted to show that the Code in its present form laid down unnecessarily minute rules for the conduct of schools, that one branch of human knowledge was practically excluded, that the highest educational authorities were still divided in opinion as to the best course to be pursued, that the Amendment now proposed was permissive in its character, and that it simply gave to local authorities a power which, until recently, they possessed, and which there was no allegation that they in any way abused. The introduction of science would make their lessons more interesting to the children—what Ruskin said of ornament applied equally, perhaps more, to education—

> "The right question to ask is simply this—Was it done with enjoyment, was the workman happy while he was about it? So he would say of education—Was the child happy while he was about it?"

He would appeal to Her Majesty's Government not to hamper education unnecessarily, or to exclude one great branch of human knowledge from their elementary schools. Education was not a mere matter of schools, forms, and registers; it was not enough to force children into the schools; they must induce them to learn when they were there. He believed that the knowledge which their children would acquire by the introduction of elementary science would not only be useful in itself, but that it would render their lessons more interesting, and, therefore, make them more instructive. In that belief, he commended his Amendment to the favourable consideration of the House.

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "it would be desirable to modify the Code of Education by adding Elementary Natural Science to the subjects mentioned in Article 19, c. 1,"—(*Sir John Lubbock*)

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

SIR UGHTRED KAY-SHUTTLEWORTH said, that he had understood that his hon. Friend (Sir John Lubbock) intended to make the same proposal this year which he had in former years submitted to the House—namely, that the so-called extra subjects, or specific subjects of the Code should be increased in number by the addition of a larger proportion of scientific subjects. Although he had a general sympathy with the hon. Baronet's object, he had not felt sure that that proposal had been the best mode of promoting this object; and he had, therefore, not been strongly in favour of it. He preferred the plan advocated by Mr. Matthew Arnold, in his Report, as Inspector of Schools, for 1876, and he was glad to find his hon. Friend now adopting that plan, and proposing in his Motion to add some elementary science, not to the extra subjects in the 4th Schedule of the Code, but to the grammar, geography, and history, taught as class subjects in the higher Standards under Article 19, C. i, of the Code. His hon. Friend had referred to Mr. Matthew Arnold's Report. He (Sir Ughtred Kay-Shuttleworth) would state a little more completely to the House what were Mr. Arnold's recommendations. He began by rejoicing over the introduction of the class subjects, which had done away with the notion that everything beyond certain minima of reading, writing, and arithmetic, was an "extra subject." He went on to say a special word in favour of grammar, as an exercise of a child's wits, whereas much of his other instruction was but an exercise of memory, pointing out that grammar was always included, even in French elementary education. He (Sir Ughtred Kay-Shuttleworth) had been sorry to see a speech of his right hon. Friend the Member for Bradford (Mr. W. E. Forster), depreciating grammar as a subject of elementary instruction. Now, grammar was one of the few subjects at present taught that would give something like a scientific training to a child's mind. But everything, of course, depended on the manner in which grammar was taught. Hon. Members possibly thought, having learned little or no English grammar themselves, that it need not be taught to a child at an elementary school. But they must not forget that they had all learned Latin and Greek grammar, and thus had acquired the principles of the science of language. Mr. Arnold went on to advocate class-teaching above the Third Standard, as distinguished from preparation for certain Standards of Examination, and to suggest that such class-teaching should include not only grammar, geography, and English history, but also what the Germans call *naturkunde*—elementary knowledge of the facts and laws of nature. Those were the proposals which he (Sir Ughtred Kay-Shuttleworth) desired to support. During the past year he had studied the system of an elementary school in a small town in Germany. He found that there was no practical difficulty in teaching these *naturkunde* to every child above a certain age. Each child was supplied with a reading book, in which all that it was deemed necessary to teach the child in history, geography, natural history, and natural philosophy, was contained. They received simple instruction as to the plants, animals, and minerals of the locality, and as to their uses, their cultivation or extraction, and so forth. The principal phenomena of nature were explained to them; they were taught something of such machines as the steam-engine, and fire-engine, and telegraph, and of common instruments — the thermometer, barometer, &c. He did not think that instruction of this kind could be pushed very far in their elementary schools; but the present proposal of his hon. Friend was the right one, and he had much pleasure in supporting his Motion.

MR. D. DAVIES said, he was always in favour of education, and had done his utmost to promote it; but he feared the school boards were going a little too fast, and making the cause of education unpopular. As chairman of a school board, he found that there was a growing difficulty with the parents of the children, whom it was difficult to convince that all this education was necessary. Many parents in agricultural districts had an idea that if their children were taught in such subjects as elementary natural science they would never be any good for the farm. A very respectable farmer said to him the other day—"I pay £6 every year for the education of these boys, and here is one of them, 13 years of age, and the first thing he does is to take up a newspaper, and if I tell him to get on with his work, he snubs me by telling me he knows more than I do." The farmers objected to the very name elementary natural science, and he hoped whatever the Government might do, they would not make such teaching compulsory. They were, he was afraid, going on too fast in that direction, and it would be better to allow the older generation to die off before they pushed education much further. He recommended, therefore, that they should proceed more slowly in this matter for the present. If there were any boys in an elementary school who desired to obtain a better education, let it be provided for them by voluntary subscriptions and in other schools, and not in the board schools and at the expense of the rates.

MR. B. SAMUELSON agreed that scientific instruction should form part of the elementary education in their schools, and that it could be taught without going into anything of an abstruse nature. Though the Inspectors of schools did their work thoroughly and well, their University training usually prevented them from having much knowledge of natural science, and he wished for the appointment of competent Examiners as well as of competent teachers. The great number of alterations made in the Code had been mentioned in the debate, and had rendered it almost impossible for the noble Lord to object to one more, which, if it resulted even in the reconstruction of the Code, would do no great harm. Before the House consented to the first Vote in the Estimates, the noble Lord ought to tell them how Scotland would be placed after the present system, which came to an end in a few weeks, had disappeared.

MR. RAMSAY remarked, that the speech of the hon. Member for Cardigan (Mr. D. Davies) afforded an illustration of the fact that the people generally, who were interested in the education of the young, approved of the progress made in the schools; while there were many who objected to that progress, because the young people made a show of their education at times. He could only say if that was the case, there must be a great defect in the education of people who made such objections, for it was not often that anyone could say that a person was over-educated. However highly a person might be educated, it did not incapacitate him for manual labour; and if the whole population of this country was educated highly, it would not benefit manufactures only, but also agriculture. There was no branch of industry which required the attention of scientific men and the application of science more than agriculture. Knowledge was power, and if the people were raised by a higher education, the country would be largely benefited. But this question was dealt with in different parts of the country according to the sentiment of the population. An hon. Member had complained that a certain class of the people were opposed to the teaching of such subjects as the hon. Baronet proposed; but he would assure the House that the sentiment of the people in the North was different. The people in Scotland raised no such objections to children being taught those sciences, and the labouring poor were proud of the education of their children when they had capacity to distinguish themselves in the schools. And he was of opinion that it would be well to interest and educate children by means of lectures and addresses from the teachers, as it would fit them to proceed with the higher subjects in after years. In Scotland there was altogether a different sentiment in regard to this question than existed in England, and a different ideal was entertained as to what constituted a good education. In Scotland there was a considerable number of scientific institutions where specific subjects were inculcated, and in many of the schools there they taught mechanics chemistry, animal physiology, light and heat, physical geography, and botany. Any of those subjects, if taught in a popular way, were calculated to interest the young. ["No!"] An hon. Member said "No;" but he (Mr. Ramsay) had had considerable experience in schools, and that experience had led him to see that it very much depended upon whether the teacher was fitted to communicate such instruction to the young in such a manner as to enable them to benefit. With regard to Scotland, he would ask the noble Lord the Vice President of the Council if he would favour the Scotch Members by stating how and in what manner the education of Scotland was hereafter to be managed? He was not prepared to stand there to advocate that the action of the Board of Education in Scotland should be applied to England. On the contrary, his contention was that the system adopted in the respective countries should be duly considered by those who had the responsibility as to what results were obtained, and whether those results were such as each country might expect in return for the large sums of money paid out of the Imperial Treasury. But he wished the noble Lord to inform them what was to be the future Board to administer Scotch education. In the Education Act it was provided that, at the expiration of the powers and duties of the Board of Education, the whole of those powers and duties conferred by the Act of 1872 should devolve upon the Department. But he wished to say that they had no knowledge of what the Department was. The noble Viscount the President of the Board of Trade (Viscount Sandon) was unable to answer the question except by saying that they had never met. Now, he thought that a body who never met must be a body of a very peculiar description, and one which the people of Scotland could hardly be expected to look to with much deference or respect. He was informed, however, that it was too much to say that the Department never met, as there had been a meeting lately, when the Lord Advocate was present, and was appointed——

Mr. SPEAKER: I would remind the hon. Member that the question of the constitution of the Board of Education of Scotland is not the subject before the House.

Mr. RAMSAY apologized to the House if he had made any irrelevant remarks. He simply wished to say that the administration of the Education Department came on as the first Vote on the Estimates down for to-night; and he considered it expedient, before the House was asked to vote any money, that some information on this point should be afforded to the House. That information, no doubt, they would get at a future stage; but he had thought it would be better that the Speaker should not leave the Chair, and that they should postpone the consideration of the matter until the noble Lord could give the information. He felt the matter to be one of considerable importance, but he did not make these remarks in any way antagonistic to the executive of the Department. He would take a subsequent opportunity of expressing his views, without trespassing further at the present time upon the attention of the House. He would say this, however, that while approving of the highest possible education being given to all the population of the United Kingdom, he felt that the teaching of elementary natural science might be introduced with benefit. But until they could get the children generally to take advantage of education in the higher Standards of the Code, there was little to encourage him to look forward to the teaching of the subject proposed by the hon. Baronet.

Mr. W. E. FORSTER said, that the hon. Baronet the Member for Maidstone (Sir John Lubbock) had so well stated the case in favour of his Motion that there was very little to be added to his arguments. Although, hitherto, he had himself felt considerable doubt in respect to that Motion, he confessed that he was now entirely inclined to support it. He had in previous years understood that the hon. Baronet wished to make the teaching of elementary natural science more or less compulsory in all schools. He did not think that they had yet got to that point. He sympathized a good deal with what the hon. Member for Cardigan (Mr. D. Davies) had said in reference to the prejudices they had to encounter; but those prejudices must not altogether prevent them from legislating where legislation was necessary or desirable; and he did not think they could afford to say they would not educate their children because the farmers were ignorant. The boy who snubbed his employer because he could read a bit out of a newspaper and his employer could not was hardly likely to be made more uppish by learning a little geography. The fault of such bad manners would probably arise not so much from what the boy had learnt as from what he had not learnt. But if they said all the children were to be taught elementary science, they would not, in the first place, get it done; and, secondly, they would frighten the ratepayers throughout the country. That, however, was not what the hon. Baronet asked for. As they had now come to the conclusion that, in order to obtain a certain part of the grant, the children in the higher Standards must pass a creditable examination in any of the following subjects: —grammar, history, geography, or plain needlework—all that the hon. Baronet asked was that elementary science should be put on a par with those subjects. There might be some schools in which it was more desirable to teach elementary science than grammar, or history, or geography; and they ought to leave room for some choice on that point. He did not think he himself could pass an examination in even elementary science, and perhaps some other hon. Members might be in the same position. If so, they might be a little frightened by that proposal. For himself, however, he wished that he had been taught as much science as history and geography; and he did not think that as it would be arranged to be taught, it would be one whit more difficult to learn elementary science than to learn history or geography, and it would not be found so difficult as grammar. There might be parts of the country where it was desirable, if they went beyond reading, writing, and ciphering, that they should teach elementary science. Professor Huxley and other eminent scientific men had been considering how they could make the elementary facts of natural science easy to be acquired by children. His hon. Friend the Member for Maidstone asked them to take advantage of that. In some cases a master might be better able to teach elementary science than any of the other subjects, and why should he not have the option of doing it? There was no reason why that should not be put along with the other extra subjects. That would involve some alteration in the Standards, and the noble Lord could consult with those who were most competent to advise him as to how the thing could be best carried out. If the noble Lord did not at once accept the Motion, he hoped that he would not put it altogether aside, but would consider whether it might not be adopted at the next revision of the Code. In making that request, he was not suggesting that they should pester all the children's brains with more subjects. But he thought that, both as regarded the real knowledge it would give them, and as regarded their preparation for the callings in which many of them would have to earn their bread, it would be desirable to place the teaching of elementary science alongside of grammar, geography, and history.

LORD GEORGE HAMILTON said, that the Motion of the hon. Baronet the Member for Maidstone was, in substance, identical with those which he had made on two previous occasions. The hon. Baronet had certainly succeeded in making a considerable number of converts to his proposals. The right hon. Gentleman who had spoken last had admitted that he was prepared, to a certain extent, to support them. The speech of the hon. Baronet was characterized by his usual ability; but it was one thing to make an able speech and to support it by a number of plausible arguments, and it was another thing for a Member of the Government to accept a proposal which he had the responsibility of seeing carried out. It appeared to him, from the limited experience he had had of the Department with which he was now connected, that there were very grave difficulties in the way of adopting the present Motion. If the suggestion of the hon. Baronet were adopted, the teachers on the one hand, would have great difficulty in determining what subjects they should teach, and the Inspectors, on the other hand, would not be certain in what subjects the children were to be examined. So long as the system of payment by results was continued, so long must there be a considerable amount of rigidity in order to insure uniformity in the subjects in which the children were examined. But it ought to be borne in mind, in dealing with this question, that all the alterations which had recently been made in the Code were alterations which deliberately went in the direction of increasing the discretion of the teacher as to the subjects which might be taught, and the only limit upon that discretion was that which it was necessary to impose in order to render it compatible with the system of payment by results, which was based upon an annual examination. Therefore, before the House expressed an opinion in favour of the proposition of the hon. Baronet, it ought to consider what was now taught, and how far the suggestion of the hon. Baronet would upset the equilibrium of the present Code. In 1871, immediately after the Education Act was passed, the hon. Baronet the Member for Maidstone made a Motion to the effect that encouragement should be given by the Education Department to instruction in something more than mere reading, writing, and arithmetic. The right hon. Gentleman the Member for Bradford acceded in substance to his proposal, and in the next year very considerable alterations were made in the Code. The Code had been in existence for several years, and had worked well; and therefore he thought the House should pause before adding to the already complicated regulations which it contained. History, geography, and grammar, had been added to the class subjects, in which all children above Standard II. were to be taught; and, although there were differences of opinion as to teaching grammar, he could not help thinking that that kind of instruction was necessary. He would not be so audacious as to allude to speeches made in that House; but observations of speeches sometimes made on other occasions led him to think that instruction in grammar would considerably improve the style of British oratory. In addition to these three class-subjects, there were 10 other subjects in which children above Class 4 could be examined, and could receive payments by results. It was impossible for the Inspectors to exactly know what were the subjects in which they would have to examine the children, and one of the first acts of his noble Friend the President of the Board of Trade, after he became Vice President of the Council, was to make serious alterations in the Code. The hon. Baronet proposed to add natural science to the subjects of instruction. That would make a great alteration. It would be necessary, for that purpose, to re-model the whole of the Code. What was natural science? It was very well for the hon. Baronet to say that he did not mean anything difficult. At the rooms of the Royal Society, which was established for the promotion of natural science, he (Lord George Hamilton) found lectures had been delivered in biology, chemistry, natural history, mechanics, astronomy, mathematics, and botany. The subject was so wide, that teachers might give instruction in almost any conceivable subject, and unless the House was prepared to add very largely to educational expenditure, it would be impossible to add natural science to the subjects taught. Under these circumstances, although he cordially agreed with the greater part of the observations of the hon. Baronet, he could not accept the Amendment which he had moved. Its object was, undoubtedly, good. It was to give to the Code as much elasticity as possible, so that children might be trained in some of the elements of knowledge which would be connected with their future occupation in life. He could assure the hon. Baronet that any proposal which in his (Lord George Hamilton's) humble judgment was practical would meet with no opposition from him; but when a proposal so wide as that which the hon. Baronet had made to-day was brought forward, he had no alternative but to ask the House to reject it; and he thought the hon. Baronet himself used one argument which justified him in rejecting his proposal. The hon. Baronet alluded to the great differences of opinion that existed amongst most eminent men as to the best course of elementary education. If, then, there was so great a doubt on that matter, was this the right time to make a great alteration in the Code?

MR. LYON PLAYFAIR said, he was afraid the noble Lord had misapprehended the object of his hon. Friend the Member for Maidstone. The noble Lord quoted the wide extent of science by stating the subjects of study on the part of the Royal Society. He must remind the noble Lord that the Royal Society was not a Society for the promotion of elementary science, but for the promotion of the highest investigation in the most abstruse sciences. The noble Lord, in saying that elementary science could not be added to the subjects taught because it covered so wide an area might as well have said that history, for the same reason, could not be one of the subjects taught. The noble Lord said it was impossible to introduce such subjects into the Code. [Lord GEORGE HAMILTON: Without great alteration.] He (Mr. Lyon Playfair) could speak with a little knowledge on this subject, because the Education Department had been good enough to adopt several outlines of study for special subjects in science which he had prepared at their request. All that they required to do was to add to their Standard a little of elementary knowledge—he was not going to call it science —because it was the term elementary science which confused and frightened people. What was meant by elementary science? It was simply an intelligent acquaintance with the objects by which the poor children would be surrounded, perhaps, throughout their lives. He observed opposite him his hon. Friend the Member for South Norfolk (Mr. Clare Read). Now he, at least, would appreciate teaching agricultural labourers. Such knowledge would enable them to understand how crops extracted food from the air and from the soil. Farmers' children would be no worse if they learned how manure was damaged by letting ammonia escape into the air or phosphoric acid run off into the drains. The children of miners would be better if they were taught the properties of air, and of fire damp and choke damp. Accidents would be less numerous if such knowledge was prevalent. It was not less knowledge because it was made useful. His hon. Friend had done good service in drawing attention to the subject; and it was one of all the more importance that foreign Governments were giving practical effect to that which his hon. Friend suggested.

Question put.

The House *divided*:—Ayes 68; Noes 37: Majority 31.—(Div. List, No. 195.)

THE NATIONAL GALLERY.

OBSERVATIONS.

MR. HERMON rose to call attention to the inconvenience experienced by the public owing to the National Gallery being entirely closed to the public for several weeks each autumn, and to its being closed at too early an hour during some months of the year; to inquire whether it is essential that two days in each week should be set apart for students alone? and to move—

> "That, in the opinion of this House, further facilities might be afforded to the public to view the magnificent collection."

The National Gallery was, he said, according to present arrangements, inaccessible during the entire month of October. But that was a time when many thousands of strangers visited London, and they were naturally much disappointed at finding one of the prime attractions of the Metropolis closed against them. He saw no reason why the National Gallery should not always remain open until dusk, or why two days in each week should be wholly set apart for students. It was, of course, necessary, that on students' days steps should be taken to prevent too large an assembling of the general public; and this could be done, without entirely excluding those who might wish to visit the Gallery, by making a small charge for admission on particular days. He did not think the public were sufficiently aware that we had a National Gallery. People saw soldiers about, and thought it was a barracks. If better means were taken to attract visitors, the attendance would speedily increase. Then there was the question of catalogues. About £500 a-year was paid into the National Exchequer for catalogues sold. The daily average of visitors to the National Gallery was only about 7,000, and not more than that number of catalogues were sold in a year. Instead of being sold at 1*s.* or 1*s.* 6*d.*, catalogues might easily be supplied for 1*d.* a-piece. When *The Pilgrim's Progress* could be published for 1*d.*, and the whole of *Shakespeare* for 2½*d.*, surely catalogues could be afforded as cheaply? As to the closing of the Gallery in October, he found, on looking at the attendance at South Kensington, that October was by no means a blank month, the attendance there being larger for that than it was for some of the other months of the year. Every facility ought to be offered to the public for visiting the magnificent collection of pictures we had at the National Gallery, especially when it was remembered that the public bought the pictures and paid for them. There were pictures there which were unsurpassed in any Gallery in the world, and, for his own part, he would rather spend a day there than in any other Picture Gallery in Great Britain. He regretted that he was unable to take the opinion of the House upon the question which he had brought forward; but he hoped the Government would give attention to it.

LORD FRANCIS HERVEY hoped the subject would be regarded by Her Majesty's Government in the same spirit in which it had been brought forward by the hon. Member for Preston. He entirely concurred with the three points in the hon. Gentleman's Notice—namely, that the National Gallery should be open for a longer time in the evening, that foreigners and others visiting London in the autumn should not be disappointed at finding the Gallery altogether closed, and that there was something unnecessary in the rule which excluded the general public from the Gallery on two days in each week. As to the two days on which the students had the run of the Gallery, he might remark that in foreign countries pictures could be seen in numbers taken from their places, and distributed in the Galleries for the convenience of the students of art who desired to copy them; but the public enjoyed the sight of those pictures at the very time when they were under the eyes of the copyists. He was at a loss to imagine why such a practice could not be introduced among a people so easily regulated as the English. As to the hours of closing, especially in the summer months, he would urge that, as the House refused to admit the working classes to the view of pictures on Sunday, it ought to provide for their accommodation on week days. Further, he would observe that one part of the National Gallery might be cleaned while another portion was open to the public. For all these, reasons he thought the suggestions of the hon. Member for Preston were very reasonable, and he felt sure that if adopted by the Government, they would be welcomed and greatly valued by the public at large. He would suggest that similar provisions should be extended to the British Museum. On going there people were often met by the announcement that the Museum was not open on that particular day, except to students. In fact, he had been told so to-day; but he contrived with some friends to procure admission. Not a single student was to be seen, nor anybody hardly except the officials, one of whom was engaged in the harmless amusement of reading a comic weekly paper. Was it right that the British Museum should be closed for three out of seven days in part on the plea that the students must enjoy the place in seclusion; when, in fact, not a single soul was to be found there except the officials in charge of the building? Surely this was reducing the matter to an absurdity. In the days of the right hon. Member for the University of London (Mr. Lowe) and the late right hon. Member for the Tower Hamlets (Mr. Ayrton) they could expect no boon in the interests of art or science, and the Muses fled from the land. But under a Conservative Government—a Government which should be a Government of culture—they did hope and expect something more. He therefore trusted the Government would see their way to making these collections, whether they were scientific, or artistic, or historical, more accessible to the public at large.

Mr. ASSHETON CROSS entirely agreed in the spirit in which this question had been brought forward, and he was as strongly of opinion as the hon. Member for Preston (Mr. Hermon), that the greatest possible facilities should be given for the admission of the public to the National Gallery, and also to the British Museum. He had no particular proposal to make on the subject, but he promised that it should receive the attention and consideration of the Government. With regard to the two days set apart for students, he might mention that there were certain difficulties in opening the National Gallery to the public every day, in consequence of the great numbers of people who visited that institution; still, he did not say that the difficulties were insuperable, and certainly the question was well worth discussing. Another point was raised about the closing of these places too early in the afternoon. Of course, it was requisite, first of all, that the valuable treasures preserved there should be absolutely safe from fire. At the same time, he was free to state that it was well worth consideration whether, in summer time, when there was no occasion for either fires or lights, these places might not be kept open to a later hour, especially as large classes of persons who would like to see the collections were busily engaged during the day. On this part of the subject he could speak more strongly than on the other. The greatest care should be taken to give facilities to those who could see the collections both at the National Gallery and the British Museum in the day-time, after working hours, during the summer months. As to the closing of the National Gallery during several weeks in the autumn, although, of course, the places must be cleaned, and the officials must have a holiday, he thought that some arrangement might, perhaps, be made, so that the whole of the collections need not be closed at the same time. These were matters which, of course, must be determined in consultation with the Trustees, and he could not do more than say that his right hon. Friend the Chancellor of the Exchequer would take care that they were considered in consultation with them.

EDUCATION GRANTS IN SCOTLAND.

OBSERVATIONS.

MR. MARK STEWART rose to call attention to the recent practice of the Scotch Education Department in giving grants to schools, where such grants are not necessarily required for the education of the population of the parish or district in which such schools are situated. The hon. Member had a Motion on the Paper, which, however, according to the Rules of the House, he was unable to bring forward, as follows:—

> "To call attention to the recent practice of the Scotch Education Department in giving grants to schools where such grants are not necessarily required for the education of the population of the parish or district in which such schools are situated: and to move that, in the existing circumstances of education in Scotland, it is inexpedient to continue the practice of giving grants where not absolutely required."

He said, that his motive in drawing attention to this subject was a very simple one, and one easily explained. It was well known that since 1872, when the Education Act for Scotland was passed, the whole of that country had been under school boards; and it had been one of the primary duties of these boards to see that proper and efficient schools were erected and maintained in every parish in Scotland. That had been done, at all events, in the whole of the Southern part of Scotland, and there were ample testimony and record, if necessary to produce them there, that the buildings which had been erected were very satisfactory. They were very large—indeed, he almost questioned whether they were not too large—because, while provision had been made for every child in a parish, it was a well-known fact that more than 10, 15, or even 20 per cent of children in many parishes could not possibly be present all at the same time. There could be no doubt, however, that the existing school arrangements, and the circumstances which had led to them, were such that there was ample accommodation. The regulations which had been laid down had been complied with by the boards; but this could not have been done without considerable trouble. There were difficulties connected with writing the Board of Education in Scotland, and then to the Education Department in London, and in other ways; and it was only after a considerable time had elapsed that the system had been perfected, or, at all events, completed. When that was the case, it was rather hard that any individual who chose to set up another school might come into the district and found what he might term an adventure institution, in defiance of the schools which had been already erected there under Act of Parliament, and which were fully furnished in every way. What was the result of doing so? It had happened in various places in Scotland, and the result had simply been this—that while there had been a school erected, say for 100 children, there was, a few yards distant, another school capable of accommodating 300 or 400. The latter's children were drawn from the parent school, so to speak, and to that extent the parent school suffered. Not only, too, had the board school been built out of the rates, but it had been erected on the understanding that an Education Grant for every child would be given to it by the Government. Such a school was fulfilling all the requirements of the education system. It was examined yearly by Government Inspectors, and it had its responsible master and teachers; but, in spite of all that, and many other considerations which he could adduce, another school was allowed to be put up, which drained the board school of its children, often for no reason except that of rivalry, and the consequence was, that the ratepayers had paid a great deal of money in vain, that the school teachers did not get what properly belonged to them — the grant of the Government, as well as the fees of the children; and that, as a result of that, the master of a board school could not obtain the same class of teachers in a parish, and that his power weakened. More than that, the present state of matters caused a feeling of injustice to rankle in the mind —a feeling that, after everything required by Parliament had been done, after the Conscience Clause had been observed with the greatest care, and after nothing whatever had been done to forfeit the Government grants, yet the latter had been taken away from them, as it were, and new schools were allowed to be erected alongside of the parent schools. That was obviously a great hardship, and had proved so in various districts in Scotland. Take the case of one burgh with which he was familiar. He did not find fault with any denominational system which could be found in operation in that burgh. It was well known that Scotland was a Presbyterian country, and that, while the Shorter Catechism and the Bible were used in the board schools, there was a Conscience Clause which prevented anything being done in the way of forcing religion down the throats of the scholars — a clause which, as he had already indicated, had been most honourably and uprightly observed. He had never known any school system in Scotland which had been carried on by proselytizing the children of the neighbourhood. The children came to their lessons if they liked; if they did not like, they remained away, but came at 10 o'clock and then received secular education. From the burgh to which he referred there was a Memorial sent up to the Education Department, in order to obtain a grant for a new school to be erected there, and the argument he had been using pressed very hard upon the ratepayers there. The teachers found in time that they were losing some 75 children. The ratepayers found that they had erected buildings to the tune of £1,500, which were, in part, no longer serviceable in the sense of being necessary, and considerable controversy had been occasioned in the town. He knew another case —that of a remote Highland glen—where a rival school was established, and the same thing happened. Feuds arose between respective families, and children who had been living together in the utmost possible harmony up to that moment, on finding a rival accommodation school set up within a few yards of that which they had been in the habit of attending, immediately began to fight and call each other names. There could be no doubt whatever that a grievance existed. He thought he knew what his noble Friend (Lord George Hamilton) would reply—that all this was done under an Act of Parliament, or, at all events, under the interpretation which was put upon the section of a clause in an Act of Parliament. But what he complained of was, that this was not done by an Act of Parliament at all, but by a rule established by the Education Department in London. Considering that the Conscience Clause was so well observed, and that ample provision existed in the localities for all children who were of age to attend school, he could not see how the clause, upon which the noble Lord would no doubt rely, could be made to apply so precisely as it appeared to be the wish of the Department to make it apply. He once more called the attention of the noble Lord to the extreme hardship of the case, that when a Board had done everything in its power to comply with the Government demands, it should be found wanting, not through any fault of its own, but because some private individual came into the district —no matter who or what he might be—and set up an adventure school. Sometimes such a man got children into his place by lowering the fees; and it was evident that, in such a case, he also lowered the standard of education throughout the country. He turned now to another point. He desired to give Notice that when the House got into Committee on the Education Estimates, he should endeavour, by moving the reduction of the Vote, to insist upon the Government saying what they intended to do with regard to the Scotch Education Department in London. The House knew very well that many Scotch Members had taken a keen interest in this matter, and that the time had almost expired when it would be possible to frame and pass an Act to restore the Board of Education in Edinburgh. That Board would expire on, he thought, the 6th of August; and he was bound to say that he thought the present system, when no longer under the Board of Education, would be in a most unsatisfactory state. There was no Scotch Department in reality in London. He was quite aware that his right hon. Friend the Chancellor of the Exchequer, the Lord Advocate, and Sir Francis Sandford—and no one was a better judge of Scotch matters, and especially of education matters than Sir Francis—were supposed to be always there. Sir Francis Sandford, he repeated, was a most attentive official; but he was not able to overtake all the difficulties of such a question as that which he had been narrating to the House, and it would be most desirable to have an Assistant Secretary told off in connection with Scotch business, and in connection with Scotch Educational Business specially. Sir Francis might have to go to one part of the country to-day and to another part to-morrow, and it was obviously impossible that he could give his sole and undivided attention to these questions which were continually cropping up for discussion before the House and the country. He gave notice—and he repeated the intimation—that in Committee he would move that no money be granted until there had been an explicit declaration made on the part of the Government on this question. But he hoped that the Government would be prepared to give a clear and decided answer on the point. There was an intensity of feeling on this subject amongst Scotchmen of which the noble Lord could hardly be aware. He would be bound to say that if a General Election took place to-morrow—to put it on no higher ground—a great many hon. Gentlemen would be questioned on the subject, and would have to say whether they desired to see something definitely established and settled on a really Scotch basis in regard to this particular matter. He thought he had said enough to show that there were points on which it was necessary to have a distinctly Scotch opinion, and on this question he was satisfied that he should have the support of many Scotch Members, if not of all.

SIR **EDWARD COLEBROOKE** said, he could not agree in the sweeping terms of the Resolution which the hon. Member for the Wigtown Burghs had placed upon the Table, but which, by the Rules of the House, could not be put from the Chair; and which, if it could be put, could not be passed without being a violation of the Education Act of 1872. But he thought it lay with the Department itself to administer the Act in a manner which would even satisfy those who felt very keenly on this subject. The grievance was in many cases a practical one, for after a school board had been obedient to the law, and had made every provision for the education of the children of the neighbourhood, a private school might be started under the sanction of the Department. This might be justified; but to make out a justification it was absolutely necessary for the parties to show that they were aggrieved by the action of the school board. The words of the Statute were embodied in the Code, and after saying "grants shall not be made unless the debt is satisfied," &c., there were the words—

> "Due regard being had to the religious belief of the parents, or to any other special requirements of the locality."

He did not conceive that that provision justified any person in coming forward and saying that no provision had been made for the religious education of the children. It must be more than that—namely, that the teaching supplied in the schools was of a kind that would deter them from sending their children to the schools. On its being shown that a school was conducted upon a religious system which would deter them from sending their children to the school, then, and then only, should the action of the Department come in as a protection to the conscientious scruples of those who felt themselves aggrieved. Having said this, he would say that this question touched one of the tenderest parts of the Scottish Education system, and it was far from his wish that the Department should be so tied up in its action as to be precluded from giving assistance under those circumstances. Roman Catholic schools had been referred to; but the grievance was not a specially Roman Catholic one. It would be felt by conscientious Presbyterians as well as by Roman Catholics. From the large powers given to school boards, it necessarily followed that power must be given to the Department to act in case of a school board using its powers oppressively towards the minority. He only wished the noble Lord and his Department would act with courage in this matter, and he was sure they would have the support of the great body in that House.

MR. **RAMSAY** said, he was glad the hon. Member for the Wigtown Burghs had raised this question, which was one that excited much attention in Scotland. It was not Roman Catholic schools, but schools of all denominations, that had been encouraged by grants from the Education Department, after the school boards had, in accordance with the law, provided adequate accommodation for all the population within the several parishes or burghs. The hardship could only occur where adequate accommodation had been provided; but the fact was that the school boards had been compelled in nearly all cases to provide adequate accommodation for all the scholars in the several parishes and burghs of Scotland. While he felt that there was a hardship, he also felt that nothing which could be oppressive to the conscientious feelings of parents in matters affecting their religious belief should be sanctioned or countenanced in any way by the Department. It was very true that where school boards had carried out the rules laid down by Parliament for their guidance in respect of religious education, children of all denominations attended the schools in many instances; but, in Scotland, where the great majority belonged to the various Presbyterian Bodies, it was usual to have religious education provided in accordance with the standard in use in the Presbyterian Churches; and one could understand that where there was a sufficient body of Roman Catholics to fill a school, the Catholic parents might desire their children to be under, not a Protestant teacher, but a teacher of their own denomination. He thought the Department would act wisely with each case that came before them of an application for a grant for a denominational school, if they would endeavour, in the first instance, to get the school board to make the rules relating to religious instruction such as might remove the objections of parents, whatever denomination they might belong to. If that were done, probably there would be fewer cases of hardship. He now came to the constitution of the Department itself. Before they were asked to vote any money, it would be well to receive some explanations as to the position in which Scotland was to be placed. The Department had no tangible existence. It was no disrespect to the noble Lord to say that he must feel that he was very imperfectly acquainted with the educational condition of Scotland, or with the feelings and sentiments of the Scottish people. The noble Duke at the head of the Department might not always be there, and his immediate Predecessor was a Nobleman in whom the people of Scotland would not have had much confidence. They would not think that to entrust to a Roman Catholic the administration of the educational affairs of this country was a thing which they would have done. Now the Department, as he had said, might be spoken of as having no existence, because the noble Lord's immediate Predecessor (Viscount Sandon) answered a Question in that House, by saying that the Committee had not met since the passing of the Scotch Education Act. He believed there had been a meeting recently for the purpose of appointing the present respected and trusted Lord Advocate as a Member of the Department. But this was but a mockery of the feelings and wants of the people of Scotland. It was not to be supposed that that learned Gentleman and the noble Lord his Predecessor were consulted much by the Department. Recently there was a discussion on a Motion by the hon. Member for Durham (Mr. Pease), when attention was called to a change made in the Education Code, having strict reference to the Motion of the hon. Member for the Wigtown Burghs (Mr. Mark Stewart). The Department had taken on themselves to alter the express provisions of an Act of Parliament in relation to this very subject. The words of the Statute were—

> "Provided that the Parliamentary grant shall not be made in respect of a school established after the passing of this Act, not being a public school,"

but the Department had omitted altogether from the Code the words—"not being a public school." He believed that on that occasion some complaint was made that notice had not been taken of the subject when the Code was laid on the Table of the House; but he confessed he should never have believed that the Department could be capable of altering an express provision of an Act of Parliament, for he held that the Code was to be so framed when laid before Parliament as to carry out the Statute, but not to over-ride or ignore an express statutory provision. He did not imagine that if the two learned gentlemen who were members of the Department and Scotch lawyers had been consulted, they would have expressed an opinion that it was competent for them to introduce such a rule into the Code. This afforded an illustration of the want of a really Scotch element in the administration of the Scotch system of Education. Then there was another point in the instructions regarding sites for schools. The Department had included the Act 4 & 5 *Vict.*, cap. 38, as one which was to guide those who were framing the titles to sites in favour of the school boards. Now, that Act, as he read it, did not apply to Scotland at all, and if it had been the wish of the Department to obtain a legal opinion, they might have obtained it from the Lord Advocate or his immediate Predecessor. The 4 & 5 *Vict.*, cap. 38, was put into his hands for the purpose of enabling him to frame a title for the school board in a district where he had property. When he looked at it, he found it only applied to those who held their lands on freehold, copyhold, or customary tenure, and they had no such tenure in Scotland. Although the Act, as framed by the draftsman, was intended to apply to Scotland, it was quite evident that it was not applicable. But there were more important particulars in which it was essential that they should have a national Scotch element in the Department. It was not enough that they should have able and talented men to administer their affairs. He fully admitted their ability and their courtesy. In the first Vote which they would be asked to sanction that night, he found that the officers of the Department were enumerated. They had the respected Secretary at the head of the Executive, and they had four assistants, one of whom, he believed, usually acted for Scotland; but he must, as occasion required, interchange his services with others who were only acquainted with matters affecting English education, and were usually employed in dealing with them. There were eight senior examiners, none of them, he understood, being at all employed in any work connected with Scotland. There were 19 junior examiners, and it was to one or more of that number that the Scotch schools were entrusted. He could not conceive anything more unsatisfactory than this. Apparently it had been resolved by Ministers that the Board of Education should be discontinued. He said nothing about that; but they had another Bill before the House, affecting education in Scotland—the Endowed Schools Bill, and he would urge that they must have some separate and distinct connection with the Department in London, or that the Board in Scotland should be perpetuated. He hoped the Government would give heed to the educational sentiment of Scotland, and would do nothing to lower the present standard of education. In fact, it was enjoined that in framing the Code care should be taken by the Scotch Education Department that the standard of education should not be lowered. Well, that was a precautionary measure against the risk of that standard being lowered. He thought Ministers ought to see that it was elevated to the highest attainable point. But if Scotch education were put under those who were only acquainted with English sentiment, nothing was more certain than that the Scotch system would be deteriorated the moment it came under the exclusive influence of English sentiment on that subject. It was a fact, that the Scotch sentiment on education was so essentially different from that of England, that, whether in London or in Edinburgh, Scotch educational affairs ought to be administered by a separate and distinct body from that which administered the same affairs in England. He hoped that England at no distant day would come to be prompted by such a feeling as to education. He believed that would come about; but now they were to undergo a process of degradation of the standard of education, because of the desire to concentrate the administration of affairs in one body. Nothing more detrimental to the best interests of this land could possibly be done, and he trusted that Ministers would never lend themselves to such a system. He might as well allude to the fact that the provisions in relation to education and the endowed schools were not what he should have expected from right hon. Gentlemen opposite, when they were framing measures for promoting the best interests of the people of this country. He found nothing like an attempt to provide for that higher education which they all desired the people should have within their reach. He observed that the Home Secretary shook his head at that statement. He hoped they should be saved from any educational deterioration by persons being appointed to the Department to be employed exclusively on Scotch Business and acquainted with the sentiment of the people of Scotland, instead of the business being left to those who ignored that feeling, or regarded it with distrust, and would seek to place them in the same position as those who complained that attempts were made to elevate the standard of education in England. He would suggest that when the Endowed Schools Bill was before the House——

Mr. M'LAREN rose to Order and wished to know whether it was competent to the hon. Member to discuss the Endowed Schools Bill?

Mr. SPEAKER said, that it was certainly not competent for the hon. Member to do so. He would point out to the hon. Member that the Endowed Schools Bill was put down for consideration on a future day, and the discussion upon it could not now be anticipated.

Mr. RAMSAY said, he did not intend to discuss the special provisions of the Endowed Schools Bill; but he was not surprised at the impatience shown by his hon. Friend in regard to any censure being passed on the provisions of that measure, seeing that it had so far received his sanction. He would suggest, however, that advantage might be taken of the measure before the House for the purpose of forming a body which should take charge not only of the higher education of Scotland, but of elementary education. He hoped that Ministers might avail themselves to some extent of his suggestion on two points. The first was, that if there was to be nothing in Scotland of the nature which he contemplated, and which he thought would be best, then that they should have separate officials in the Department here to whom Scotland could look and trust as being in accord with Scottish sentiments and feelings on the subject of education. He thought, moreover, it would be an advantage if, in addition to the right hon. and learned Gentleman who represented Scotland in the Department, they had men—and there were good men in that House—to act as a Council in the Department. The day was not far distant when they would require to appoint, not a President of the Council as the head of the Education Department, but a Minister who should devote his attention specially to the cause of education; and the more that was considered, the more necessary would it appear that education should be dealt with as a separate Department of the State, and in all respects placed on an equal footing with the other Departments of Government. He believed the noble Duke who was now at the head of this Department was as anxious for the welfare of their common country as anyone could be; but that he should at the same time be discussing the Contagious Diseases (Animals) Bill and measures for the promotion of education was an anomaly which he thought right hon. Gentlemen opposite would not attempt to justify as that which was best if they were now to have a new system established. He thanked the House for having listened to him so long and so patiently.

Mr. M'LAREN said, he had the misfortune to differ with a great deal of what had been said that evening. He was not a believer at all in the deterioration of the education which was at present given in the schools in Scotland. He did not think that at any period was the education given in the common schools of Scotland better than it was at the present time. As far as he had been able to learn from the most eminent judges—such, for example, as the Chairman of the School Board in Edinburgh, the Rev. Dr. Scott, a man of great experience, and many others whom he could name, it was a mere delusion to suppose that there had been a deterioration going on in the education given in the schools of Scotland. He believed that, taking any test they liked, it would be found that there was a greater number of efficients in the higher branches than there ever were before. There was another point as to which he should like to state the impression on his own mind derived from such sources of information as he had had access to. It had been alleged that there was a great and general demand for an independent school authority in Scotland to regulate common schools of that country. He thought that the best thing that could be done with the school board authorities in Scotland was to leave them alone, and not meddle with them. They were all in working trim now, and in his opinion they needed no superintendence whatever. Everything was carefully laid down in the Act, and if they would just allow those authorities to go on, every benefit would be obtained which could be reasonably expected in the circumstances of the case. He thought it was a great mistake to suppose there had been a general outcry in Scotland for a Scotch Board of Education. What outcry there had been was got up very much by people more or less interested in this subject. It had not emanated from the great bulk of the people.

The CHANCELLOR of the EXCHEQUER said, that his noble Friend the

Vice President would probably have occasion to speak before the Speaker left the Chair on other questions which might be raised in connection with his Department; and, possibly, it might seem wanting in respect to the Scotch nation generally if a few words were not said on the question raised by his hon. Friend, and which had been the subject of the last two or three speeches. The House might be well assured that the question of Scotch education was one which was in no danger of being neglected by the Government. They had felt that it was undesirable to maintain any longer the separate Board, which had been temporarily in existence in Edinburgh; but, now that that Board was coming to an end, it would, of course, be the duty of the Government to make proper arrangements for the due conduct of Scotch educational business. There did now exist a Scotch Education Department. At present its Members were the Lord President of the Council, the Vice President of the Council, the Prime Minister, the Chancellor of the Exchequer, Lord Gordon of Drumearn, and the Lord Advocate. That Education Committee did meet, or would meet, for business of an important character deserving consideration of the whole Board; and, no doubt, when the temporary Board came to an end, the services of the new Board would be more frequently required than was the case at present. In addition to that, of course, the great mass of the Scotch education business was done, just as the great mass of the English education business was, by the Lord President and Vice President. The Committee of Council on Education was summoned from time to time when important questions connected with English education arose, as, for instance, the bringing in of a new Bill or the making of any material alterations in the Code. And the case would be similar with the Scotch department. But what he apprehended the hon. Gentleman probably spoke in reference to was the administrative part of the business. It was certain that that administrative part of the business ought to be very carefully attended to, and it was the intention of his noble Friends the Lord President and the Vice President to organize the department, and to take care that Scotch business should be duly represented and conducted by men who devoted themselves to that business, so as to acquire a proper acquaintance with it. Although, up to the present time, the Estimates had been so framed that all the administrations came together, yet it was intended in the Estimates for next year to place the Vote for one of the assistant secretaries, who would be specially engaged in Scotch business, and also so many examiners as might be necessary under the head of Scotch Education. So that there would be a Scotch administration, he would not say all composed of Scotchmen, but of men conversant with Scotch business. They would conduct the business under the general directions of the Lord President and the Committee which he had mentioned, and he thought there would be a thorough desire to treat Scotch business upon Scotch principles. If Scotch gentlemen desired to carry their Scotch principles to the extreme, he himself would be quite ready to make the grants in pounds Scotch rather than English. But they would not, perhaps, care to go that length. He could, however, assure hon. Gentlemen that the matter was receiving due consideration.

MR. LYON PLAYFAIR expressed his gratification at the speech which they had just heard from the Chancellor of the Exchequer. It was useless crying over spilt milk. They had fought as gallantly as they could the fight of the Scotch Education Board, and they had been beaten. He did not intend to say anything to that; but he had been about to suggest what had been said by the Chancellor of the Exchequer, with all the authority of the Leader of the House. To satisfy the Scotch people it would be necessary in future, in framing the Estimates, so to arrange the Scotch Business that they would know whom to apply to for the administration of the Scotch Department. Therefore what had fallen from the right hon. Gentleman would give satisfaction when it was read in Scotland. As to the Scotch Education Department, that, as they all knew, was, like the English Education Department, very much of a myth. It was summoned to approve the decisions which were come to laboriously by the President and Vice President of the Council when a Code came in; but it was a merely formal meeting, and it very rarely had an effective charge of administration; but the point to which the right hon. Gentleman had alluded, of a division of the Estimates and a distinct allocation of persons either in Edinburgh or in the Office to Scotch Education Business, would, he was sure, give great satisfaction in Scotland, yet he did not see why the Government should wait till next year to do that. Increased Estimates were not wanted, but only an adjustment of present Estimates. That was an administrative detail which Sir Francis Sandford could settle in a short time.

EDUCATION DEPARTMENT—THE NEW CODE FOR 1878—ATTENDANCES.

OBSERVATIONS.

Mr. CHAMBERLAIN, who had given Notice that he would call attention to the conditions of the New Code of 1878, requiring a definite number of attendances at one school as a condition of presentation for examination, and move—

> "That inasmuch as this requirement has become unnecessary, owing to the institution of 'Children's School Books,' and constitutes a temptation to inaccurate registers, while it prejudices the education of the children who are unable to fulfil the condition, it is desirable that the Code should be amended by the omission of such requirement,"

said, he understood that by the Standing Orders it was not competent for him to move his Resolution. He would, however, feel quite content in simply directing the notice of the Education Department to the subject, in the hope that they might be induced to adopt the suggestions which the proposal embodied, and which had already received the support of a considerable number of qualified educationalists. Although the subject might appear at first sight to be of a technical character, yet it was of considerable practical importance, and it fortunately did not raise any political or sectarian issue. The Birmingham School Board had petitioned in favour of the proposed change, as had also other school boards, including those of Derby, Durham, Huddersfield, and Plymouth. Opinions in favour of the suggestions had been expressed at a conference of the National Union of Elementary Teachers. This condition of attendance as preliminary to examination was introduced by the right hon. Member for the University of London (Mr. Lowe) as part of the system of payment by results. At the time of its introduction 200 attendances were required; now the number was 250. For the most part, the disqualifications under this condition arose from causes wholly beyond the reach of either the teacher or the manager. Even without any such condition, the teacher had sufficient inducement to secure regular attendance, in the fact that the irregular scholars did not remunerate him for his labour in giving them efficient instruction. One of the reasons for adopting the condition was that it was supposed to prevent the possible presentation of a child in the same Standard twice in the same year; but the introduction of the School Book recording the progress of the child had rendered any fraud of that kind impossible. The last Report of the Privy Council stated that out of the 2,064,000 odd children on the school registers, no less than 618,849, or 31 per cent, were disqualified owing to the non-fulfilment of this condition of 250 attendances at the same school. The result was that the country was kept in a state of ignorance as to the extent of the education of these children, for whose instruction the country paid largely. No doubt the large majority of these 618,849 children had made the requisite number of attendances, but not in the same school. The removal of children from one school to another was owing, not to caprice on the part of their parents, but to their change of residence. It appeared that in one year there had been in Birmingham 10,000 changes of residences on account of change of work and other causes, so that 10,000 children had, through those changes of residences, to be removed to other schools. The condition of requiring 250 attendances in the same school retarded the education of children. In many cases children, because they had not fulfilled that condition, had to be presented for examination in a lower Standard than they were capable of passing. The children who had not fulfilled the condition were neglected by the teachers, who bestowed most of their attention on children who, having complied with the condition, might pass the examination, and thus be of pecuniary service to the teachers. Another objection to the present system was, that it offered a direct temptation to the teacher to falsify the register of attendance in order to obtain the grant;

an objection which was confirmed by the Reports of Inspectors. If this temptation were removed he believed those offences would disappear. He was quite content to leave the matter to the consideration of the noble Lord (Lord George Hamilton) and the Department which he represented. He thought he had shown what was a real grievance, both to managers and to teachers. It was a temptation which had led many teachers astray, and which, at the same time, had proved to be an obstacle and an hindrance to the progress of education. If the noble Lord would consent to expunge in future the condition to which he had referred they would then really know what the education system was doing, and the great discrepancy between the total number of registered scholars and the numbers shown to be receiving anything like a satisfactory education would be removed.

TURKEY—CRETE.—OBSERVATIONS.

MR. MONK, who had a Motion on the Paper, to the effect that the state of the Christian population of Crete demanded the serious attention of Her Majesty's Government, with a view to the welfare and protection of the inhabitants being secured at the Eastern Congress, said, that as he was precluded by the Forms of the House from submitting his Motion, he would call attention to the affairs of Crete. He was by no means sure that this was not the most favourable—perhaps it would be the only—opportunity the House would have before the close of the Session of considering the question whether it was desirable or not that Crete should be freed from the incubus of the Turkish yoke—a yoke which, in the opinion of many leading statesmen of this country, both past and present, ought never to have been imposed upon her. The history of Crete for the last half century presented a sad and humiliating retrospect; and now, after 40 years of Turkish oppression and misrule, and after insurrections without number, the National Assembly of that country had presented a Memorial to the Great Powers, asking them to aid her in throwing off the Turkish yoke, and to assist her in her desire of being annexed to Greece. Every telegram received from Crete told us that the island was in a most critical state. In spite of every endeavour on the part of Her Majesty's Government—and he gave the Government great credit for endeavouring, through our Ambassador at Constantinople, and our Consul, Mr. Sandwith, to effect a reconciliation between the Cretans and the Porte—nothing whatever had been done which was effectual. The hon. Member for Reading (Mr. Shaw Lefevre) and himself had frequently asked for the production of the Papers with regard to Crete, and he was at a loss to comprehend the reason for the delay in producing them. But he was still more astonished when they were produced, because he did not see a single line which should have prevented the Government from producing them at an earlier period. The only reason for the delay was to be found in an Answer given by the Under Secretary before Easter—namely, that it was undesirable to produce the Papers, because they might add to the excitement of the island. But for months past the island had been in such a state of excitement that it was impossible to add to it by producing Consular or Ambassadorial Reports. He was quite sure the Under Secretary would not now contend that there was any hope of putting an end to the insurrection without some serious steps being taken to satisfy the wants and wishes of the people, and he could see no method of doing so, except by urging on the Great Powers the annexation of Crete to Greece. As he was loth to say a word which might seem calculated to stir up strife, he would refrain from quoting from the Papers which had been furnished. The enormities which had been committed by the Bashi-Bazouks upon the Christian inhabitants hon. Gentlemen could read for themselves in the Reports of our Consul, and in the despatch of M. Delyanni communicated to Lord Salisbury on the 10th April. What then had Government done in respect of Crete? On the 22nd of May, Consul Sandwith announced to the Provisional Government that he was authorized by Sir Austen Layard to mediate between the Porte and the insurgents; and he was reported to have said that the Porte had given the most solemn assurances that it would make arrangements with England for a new form of government, in conformity with the legitimate demands and requirements of the island, and that it was prepared to grant an amnesty. The Provisional Government accepted those terms, provided an armistice were agreed to, until such time as a definite solution should be arrived at. Incredible as it might seem, that proviso was rejected by the Porte, and the negotiations fell through. Fighting had been going on ever since, and the Under Secretary had informed the House a short time ago that the insurgents were in possession of almost the whole island. He would ask the House to bear with him, while he briefly pointed out what was the course adopted by the Provisional Government prior to that unsuccessful attempt at mediation. Early in the year, Commissioners were sent from Constantinople. And on February 20, Mr. Sandwith wrote that the Assembly had addressed Memorials to the Consuls embodying their proposals, which were four in number —first, that the government should be autonomous; secondly, that the Chief should be elected by the people; thirdly, that the island should pay an annual tribute to the Porte; and, fourthly, that the Constitution should be guaranteed by the Great Powers. These, it would be admitted, were moderate demands. The fourth condition—that the Constitution should be guaranteed by the Great Powers—was absolutely necessary, when it was remembered how vain had been the promise of the Porte to effect reforms in 1868, and mainly because they were not guaranteed by the Great Powers. But the Turkish Commissioners declined to entertain the proposals, negotiations were broken off, and the Mussulman and Christian populations were once more in arms. In these circumstances the General Assembly had entreated the Great Powers to take this matter into their own hands at the Congress now sitting, and to support their views of annexation, in the earnest desire that peace, happiness, and contentment might be restored to the island. Consul Sandwith, in February last, stated that the Porte had admitted the legality of the Assembly making these demands, and, therefore, he expressed his surprise that the Porte should summarily have rejected them. The General Assembly had done their utmost to avoid an insurrection; although the people had been three months in arms, the Assembly had prevented an outbreak of hostilities. Consul Sandwith went on to state that the Assembly had been obliged to break off all negotiations with the Commissioners and appeal to the Great Powers, having regard to the programme of 1821, 1841, and 1856, in which the island was declared to be annexed to Greece. No other solution of this question was likely to be satisfactory or final. He humbly, but earnestly, entreated the Government to take the unfortunate condition of Crete into their consideration; and, bearing in mind the responsibilities incurred by Great Britain, France, and Russia, at the close of the Greco-Turkish War, when they left Crete with 200,000 Christians, and only 40,000 Mussulmans under the dominion of the Sultan, that they would instruct our Plenipotentiaries at Berlin to take steps to repair the injustice which had been done to Crete 50 years ago, by rescuing that fair territory from the depressing influence and grinding thraldom under which it had suffered at the hands of the Ottoman Porte. It appeared by to-day's accounts from Berlin that the consideration of the Greek question had been postponed for a few days; and, therefore, it was not too late to remind the Government of the promises made to Greece, and, he presumed, also to the Cretans, that if they abstained from hostilities, their case should not be neglected by the Congress. This was a part of the great Eastern Question, and it was most desirable that it should be brought to a final decision. Some of the greatest statesmen of this country foresaw the difficulties likely to arise from the present arrangements, and that the day would come when Crete could no longer acknowledge the Turkish rule. Lord Palmerston had expressed most strongly his opinion that the Greeks of Crete, when they saw their brethren free, would no longer submit to the thraldom of Turkey. The late King of the Belgians refused to accept the Throne of Greece because Thessaly, Epirus, and Crete were not annexed to it. He hoped to receive an assurance from his hon. Friend that this matter had engaged, and would continue to occupy, the serious attention of the Government, and that he would be able to inform the House that our Plenipotentiaries at Berlin would take steps to restore to the unfortunate Christians in these countries a more beneficent rule.

SIR GEORGE CAMPBELL said, he for the most part concurred in the views expressed by his hon. Friend (Mr. Monk). He feared, however, that annexation to Greece was not likely to be attained at present, for such a proposal was not within the four corners of the Treaty of San Stefano or the Agreement of Lord Salisbury. We were bound, however, by all that had occurred to see that the future government of Crete was a satisfactory autonomy. The Constitution of 1868 could not be satisfactory, for the Mahomedan minority had the advantage over the Christian majority. In these circumstances it was impossible that justice could be fairly done to the great mass of the inhabitants, who were Christians. He believed that discontent would be removed if Crete had a real autonomy, in which the Christian population had due weight. Several of these islands had formerly enjoyed, under Turkish dominion, practical autonomy, which had been wrested from them in modern days, when the Sultans had assumed a despotism not justified by Mahomedan law. We might hope some day to see these islands again enjoying constitutional government better than that which had been accorded to Crete, and that they would eventually be united to the mainland of Greece by a federal bond.

MR. BOURKE said, no one could be surprised that the hon. Member for Gloucester (Mr. Monk) had brought this matter before the House. It had created during the last few months a great deal of interest, and the hon. Member for Gloucester and the hon. Member for Reading (Mr. Shaw Lefevre) had shown that they were alive to its importance. At the same time, they would feel that this was hardly an opportune time to discuss a question of such magnitude. In the Papers before the House there was material for a long debate, so that it was hardly possible to discuss the subject seriously on the Motion to go into Committee on the Education Estimates. He hoped, under these circumstances, the hon. Gentleman would not expect him to go into the subject at any great length. All that was asked was, that the matter should not be forgotten in the negotiations at Berlin. The condition of Crete had been mooted on many occasions within the last 50 years, and no Minister had ever been able to say that that condition was satisfactory or promising. No matter how bad the condition of the inhabitants was, it was always admitted that there were insuperable difficulties to the island passing out of the hands of the Porte; and no one held that view more strongly than the late Lord Palmerston. The noble Lord acknowledged that there were a certain number of persons in Crete who wished for transference to Greece; but, at the same time, he said, Greece had never shown a capacity to govern so well that portion of Europe which was under her sway as to justify Europe in wishing to see Crete added to the territory of Greece. One would suppose that people who were enthusiastic about the annexation of Crete to Greece, were of opinion that the Government of Greece was a pattern Government, and that Greece was therefore entitled to have the islands annexed to it; but the past history of Greece had not inspired him with such confidence in the wisdom of its Government as to make him expect any amelioration for Crete as the consequence of annexation. They all knew that there was a great preponderance of Christian population to Mahomedan in the island; but, at the same time, if that was taken as a criterion for annexation, it could be shown that a great portion of the whole of European Turkey might be said to be in a similar position. Therefore, that argument could not be sustained by statesmen. As he had stated several times this Session, the matter was under the consideration of the Government. There was no part of the Eastern Question to which they had given more attention; but it was impossible for this country, or any country, to take upon itself to say that any portion of the Turkish dominions should be annexed to a foreign country. The question was, no doubt, under the consideration of the Plenipotentiaries at Berlin. He believed that very day the question of Greece was being considered, and it might be assumed that the question of Crete would be taken into consideration as part of it. Whether anything would come of it, it was impossible for him to say. With regard to the better government of Crete, and the amelioration of the condition of the Christian population, no Government in Europe was more alive to the necessity of something being done than

Her Majesty's Government. The Papers would show that they had been fully alive to the necessity for the amelioration of the government of Crete. No one would deny that nothing could be worse than the late government of the island, particularly during the last two months; they had not denied that for a moment. In every Answer he had given to the House, he had endeavoured, as nearly as possible, to epitomize the information given in the Reports of Consul Sandwith, which he did not think could be impugned. Hon. Members seemed to take rather a one-sided view of the question; for the Christians of Crete were not unanimously in favour of annexation to Greece; on the contrary, they were far more unanimously in favour of an autonomous Government of their own, and the Reports which had been received lately went to show that if the scheme which was devised in 1868 by Lord Derby had been carried out, there would have been nothing to be wished for in the government of the island. As usual, Turkey failed to carry out her promises of reform to Crete. Whether she would yet do so it was impossible to say. For his part, he thought we had better look for reforms in the direction of those of 1868. When those were completed, the way would be paved for full reforms in the direction of annexation to Greece—an event which could not be brought about without great changes, and without exciting opposition on the part of Turkey. He hoped the hon. Member for Gloucester would be satisfied with this statement. He could assure him that there was no body of persons more anxious for the welfare of Crete than Her Majesty's Government, and that they were at the present time engaged in bringing this question before the Powers at the Congress in connection with the future of Turkey.

Mr. SHAW LEFEVRE said, he did not think the tone of the speech of the Under Secretary for Foreign Affairs such as to give that satisfaction which he had hoped for, and he trusted Lord Salisbury's views would not be entirely those which the House had just listened to. Considering that the subject of Crete was being considered by the Congress at Berlin, the present was not a favourable moment for discussing it in that House. He, therefore, refrained from entering into the question; but he would take the opportunity of confirming the accuracy of the statement of the hon. Member for Gloucester (Mr. Monk) as to Lord Palmerston. The hon. Member quoted from a speech of Lord Palmerston's of 1830, the whole of which was worthy of the most careful consideration. He might add that the contention of Lord Palmerston was supported by Lord Russell and Sir James Mackintosh, and also, he thought, by some influential Members of the House of Lords, so that it was erroneous to say that the views of the hon. Member for Gloucester had not been held by any influential statesman in this or the last century. At the present moment nearly the whole island was in the hands of insurgents; and so far as his own information went, the people of Crete were almost unanimously in favour of annexation to Greece, and certainly the argument in favour of that course was much stronger now, when the Mussulmans formed only one-fourth or one-fifth of the population, than in 1830, when they numbered perhaps one-half. Within the present century Crete had been three times in insurrection, and her claims to the consideration of the Congress were infinitely greater than those of Bosnia and Herzegovina.

EDUCATION—SCHOOL BOARD SCHOOLS AND SAVINGS BANKS.

OBSERVATIONS.

Mr. PELL, in rising to call attention to the fact that scholars attending School Board Schools are in certain cases exempted from the payment of any weekly fees, or are admitted on payment of extravagantly low fees, who nevertheless are at the same time invited under an organized system of collection in the Board School they attend to become and who do become depositors of money in Savings Banks, said, that out of the 625,000 children in the board schools receiving Government grants, one quarter of them were paying less than 2*d.* a week for fees, so that 156,000 children were being educated for about 5*s.* a year, the deficiency being supplied by the rates. He wished particularly to draw the attention of the House to the cost of education in the metropolitan area under the London School Board supervision. It averaged

52*s.* per annum for each child, or, reckoning the period of attendance, about 1*s.* 2*d.* per week. Out of that large sum the average contribution of the children was only 2*d.* per week. He was quoting from the Report of the Committee of the Council on Education put into the hands of hon. Members that morning. The Report also stated that the cost per head in the School Board schools generally was £2 1*s.* 4*d.*, and in voluntary schools £1 14*s.* In the same Report they were informed that the fees paid by the scholars averaged only 9*s.* 2*d.* per annum. The calculation for 1870 was that for each child the parent would contribute one-third of the cost of education; which third, in the case of board schools, it appeared, would now amount to nearly 14*s.* a-year; but the sum actually paid was only 9*s.* 2*d.* in fees. Thus every child in England in a board school paid nearly 5*s.* short of what it ought to pay; and thus, whatever might be the character of the education, it failed to teach the most important lesson of all—independence. He wished also to point out how this evil was aggravated in school board districts. There was a practice, in which the managers of the schools seemed to take a pride, of having in each school an officer connected with penny banks, who received from those who, on the score of poverty were being educated at the cost of the ratepayers, considerable sums. He found that during the year ending March, 1876, at a school in Hackney, 483 children deposited £61 5*s.*, while the total of the school fees only amounted to £41 10*s.* That showed the ability to pay £100, instead of which only £41 was paid, and the rest they put into the bank. In the Tower Hamlets, there were 45,000 scholars, who paid into the bank £1,137, and only contributed in school fees £773. At Liverpool £90 was deposited in one of these school banks, where the fees paid were £73; and at Norwich, where only 1*s.* 4*d.* per week was charged on account of the poverty of the people, 542 children deposited £52, while only £35 was paid in school fees. These facts, he thought, did not redound much to the credit either of the managers of the schools or to the parents of the children. In London there were schools in which the fees were as low as 1*d.*, and many of the children were exempt from payment on the ground of poverty. In one of these schools 239 depositors were found in the year 1877 who had saved amongst them £57. Three of the depositors were children whose parents had been exempted from payment of school fees, and he thought every honest man would consider that the money deposited in the bank ought to have been expended on the children's education. He regretted that the Forms of the House did not permit him to submit a Motion on this subject, therefore all he could do at present was to draw the attention of the House and the country to this mischievous system, in the hope that something might be done to remedy the existing state of things. He believed the 17th clause expressly conferred upon the Education Department the power of sanctioning the amount of, or withholding their consent to the remission of fees, and he trusted that the Government would consider the subject, and encourage a change in the state of things that would be fairer to the children, the parents, and the ratepayers.

EDUCATION — INSPECTORS OF ELEMENTARY SCHOOLS.—OBSERVATIONS.

MR. RATHBONE said, he had never been quite able to see the difference between the poor children paying 2*d.* per week for their education and those who went to Oxford and Cambridge, and paying £20 a-year in fees, receiving their education and even their maintenance at considerably less than cost price. There was as much inconsistency in that as in what the hon. Member for South Leicestershire (Mr. Pell) had just complained of. Leaving this, however, he wished to call attention to the inadequate special training given to Inspectors previous to their being entrusted with the inspection of Elementary Schools. On former occasions he had drawn attention to the subject, and no objections had been offered to his contention, except that there was to be no money expended in the direction he indicated. That, in his opinion, was a false economy. Inspectors, to be efficient and successful, ought to be carefully trained after leaving college for the special duties they would have to perform. Under the present system, young men fresh from college who knew nothing about the capabilities of children were sent to inspect schools, and upon their report the Government grant depended. The result was, that one man fearing to be unjust was too lax in his inspection, and lost the respect of the school-master, while another was perhaps more stringent in his examination, and in consequence there was either a relaxation of discipline in their schools, or else a sense of injustice was entertained by the teachers. There was also a great want of uniformity in the rules laid down by them, and this led to a deterioration of the standard of education. He suggested as a real, practical, and inexpensive remedy for the evils he had pointed out, that candidates for the Inspectorships should undergo a year's probation. About 10 Inspectors were appointed annually, and his proposal was that they should at once appoint 10 of the best candidates on the list, who should accompany 10 of the best Inspectors on their rounds, and thus qualify themselves for the positions they were to occupy. Their main object should be so to raise the standard, as to be able to compare favourably with other countries in the matter of elementary education; and that could be done at a small cost, as the men were waiting for their appointments as Inspectors, and would not refuse a low salary while they were learning their business. The whole cost of the plan he proposed would be £2,500 a-year. As things were, the sum spent was £118,000 on inspection, including Inspectors' travelling allowances, and £2,149,000 on the whole work of elementary education; and this additional £2,500 would be well laid out. That was no great price to pay for having the whole work of education done more efficiently than at present, and with less friction to the Department; while it would be of equal service to the junior Inspectors themselves by enabling them to approach their work, not as tyros, but as men of experience. He trusted that his suggestion would be carried into effect, particularly as it involved no considerable financial difficulty.

Lord GEORGE HAMILTON said, that in the course of the evening the attention of the House had been called to a variety of subjects, but only four strictly educational matters had been under consideration. His hon. Friend who had just sat down had not been satisfied with the special training that Inspectors underwent at present. As the hon. Member was aware, every person who was appointed an Inspector served a certain period of probation with one of his seniors, who was duly informed of the appointment of the junior who would be for a time associated with him. That was the existing system, and it would be seen that every newly-appointed Inspector underwent both probation and instruction in his duties. His hon. Friend had suggested that the work of education would be much more efficiently served by a few more appointments, and he had declared that a satisfactory arrangement might be made at a cost of £2,500 per annum. Well, if the hon. Member could persuade the Treasury to supply the money, he for his own part would be quite ready to adopt the plan suggested. The next topic was also one of importance, and had been brought before the House by the hon. Member for South Leicestershire (Mr. Pell); but the Notice had only appeared on the Paper the night before, and he was not acquainted with the particular schools to which the hon. Member drew attention. But, speaking generally, it was certainly not right that the education of some children should be almost gratuitous, and that they should, at the same time, be contributors to savings-banks. He could, of course, express no opinion on circumstances with which he was not conversant, but he would consider the question, and if his hon. Friend would communicate with him, he would endeavour to give him all the available information on the subject. Then, the hon. Member for Birmingham (Mr. Chamberlain) had brought to the notice of the House the condition of the Code which required a certain number of attendances as a necessary preliminary of examination, and he had proposed to abolish that condition. Now, the Government grant, which was partly dependent on the requisite 250 attendances of each child, was a compensation to the managers of the school for certain educational work, and, if that attendance were dispensed with, children might be brought from one school to another to earn the grant. He was sorry to say that several instances of sharp practice that had been brought under his notice made his fears not wholly imaginary. As to the school book being a sufficient substitute if a definite number of attendances were abolished, their abolition would do away with the very first column of the attendance book. No doubt the present system did present some temptations to teachers to which they occasionally succumbed, and some distressing cases of wholesale and systematic fraud had come before him; but the persons who would commit such frauds were not fit to be entrusted with the moral education of children. With regard to the subject introduced by the hon. Member for the Wigtown Burghs (Mr. Mark Stewart), he must say he sympathized with the School Boards that had erected large schools believing they had to provide for a certain number of children and then found that some parents preferred to send their children to other schools; but in giving grants to such schools, the Education Department had strictly acted in accordance with the intention of the Act of Parliament. If the hon. Member would look at the discussion which took place on the Scotch Education Bill he would see that a clause had been inserted which required that regard should be had to the religious belief of the parents, and stated that the Scotch Department might give grants after due inquiry. If the Department had not given an annual grant to the schools so established there would have been great difficulty in enforcing attendance. He was sorry to be somewhat abrupt in his replies on the subjects to which attention had been called, but the time that it had been hoped might be devoted to a discussion of the Education Estimates had been so much curtailed that he trusted the House would consent to go into Committee at once.

MR. W. E. FORSTER said, he was sorry to stand in the way of the noble Lord, but it was really unprecedented to go into Committee on this most important question at midnight. He was very anxious to hear the noble Lord; but although the noble Lord might make his statement, it was almost impossible to give the attention to it that would be desirable. To make the statement and then to adjourn the debate, would be leaving the House in a very unusual position, and he hardly thought the Government would think of going on with the statement at that hour.

MR. DILLWYN also urged postponement.

THE CHANCELLOR OF THE EXCHEQUER thought there was time to make the statement, for which the mind of the House had been prepared by the subjects that had occupied their attention most of the evening.

SIR CHARLES W. DILKE thought there would be no advantage in making the statement, seeing that it would be impossible to take a vote.

MR. PEASE said, the situation furnished a striking illustration of the great inconvenience of the Standing Rule that enabled them to discuss many minor questions while the great object for which they had assembled had to be postponed. He hoped this matter would not escape the attention of the Committee on Public Business. He feared that if the statement were made to-night, it would, practically, have to be made over again.

Main Question, "That Mr. Speaker do now leave the Chair," put, and *negatived.*

Committee *deferred* till *To-morrow.*

ROADS AND BRIDGES (SCOTLAND) BILL.—[BILL 4-224.]

(*The Lord Advocate, Mr. Assheton Cross, Sir Henry Selwin-Ibbetson.*)

CONSIDERATION.

Further Proceeding on Consideration, as amended [2nd July], *resumed.*

MR. ANDERSON said, the Chancellor of the Exchequer had stated earlier in the evening that the measure would not be taken up at an unreasonable hour. The number of Amendments on the Paper still to be proposed would involve a discussion of three or four hours, and he appealed to the right hon. Gentleman whether it was reasonable to go on with the Bill at that hour (five minutes before midnight)?

COLONEL MURE hoped that the Government would proceed with the Bill.

Question, "That the Bill, as amended, be now taken into Consideration," put, and *agreed to.*

Clause 46 (Local authority to have management of roads within burghs).

SIR GEORGE CAMPBELL moved, as an Amendment, in page 26, line 2, after "final," to insert—

"but, in the case of any burgh containing more than five thousand inhabitants, the terms shall be such that the road assessments in the burgh shall not be higher than those of the adjoining district or districts of the county."

He had admitted, when the question was before the House on a former occasion, that the Amendments which had been accepted by the right hon. and learned Lord Advocate, on behalf of the Government, went far to take away the urgency of the Amendment he now proposed. Still, he intended to propose it, because he believed it would provide a simpler means of meeting the difficulty to which reference had been made in previous discussions than that which had been already accepted. Royal burghs in which the population did not exceed 5,000 were within the provisions of the Bill, therefore his Amendment referred only to those Royal and Parliamentary burghs which in that capacity were brought within the provisions of the Bill. He ventured to hope that the Government would consider that matters would be simplified by the acceptance of his Amendment. The effect of it with regard to these small burghs would be that it would be in the option of the sheriff to leave them in the position in which they now stood—that was to say, in case they should be willing to remain, for road purposes, part of the county, as they now were, then the rates to be imposed upon them for those purposes should not be heavier than the rates paid by the county in general.

Amendment proposed, in page 26, line 2, after the word "final," to insert the words—

"but, in the case of any burgh containing not more than five thousand inhabitants, the terms shall be such that the road assessments in the burgh shall not be higher than those of the adjoining district or districts of the county."—(*Sir George Campbell.*)

Question proposed, "That those words be there inserted."

THE LORD ADVOCATE said, the effect of the Amendment would be to place under the clause burghs above and below a population of 5,000 in quite different positions. It seemed to him that there was really no principle upon which they ought to be differently dealt with, and he could not, therefore, accept the Amendment.

Amendment, by leave, *withdrawn.*

Clause *agreed to.*

Sir George Campbell

Clause 47 (Clause B.—Burgh within county where Act not in force, may, by agreement or otherwise, assume management, &c., of highways within it).

On the Motion of the LORD ADVOCATE, the following Amendments made:—

In page 26, line 10, after "lawful," insert "at any time after the passing of this Act;" page 26, line 21, after "sheriff," insert "who shall take into consideration all the circumstances of the case, and;" page 26, line 33, leave out "roads, highways, and bridges," and insert "to the highways."

Clause, as amended, *agreed to.*

Clauses 48 to 50, inclusive, *agreed to.*

Clause 51 (Assessment in counties for management, maintenance, and repair).

Amendment proposed, in page 28, line 7, to leave out from the word "or," to the word "district," in line 9, both inclusive."—(*Sir Edward Colebrooke.*)

Question, "That the words proposed to be left out stand part of the Bill," put, and *agreed to.*

SIR EDWARD COLEBROOKE moved, as an Amendment, in page 28, line 13, to leave out from "or," to "aforesaid," in line 14, both inclusive. The object of his Amendment was to prevent the expenses of management and repair being levied on a less area than that of a district.

MR. M'LAREN hoped the Amendment would be adopted, inasmuch as there was a general opinion in its favour.

THE LORD ADVOCATE was not aware that there was any general desire for the adoption of the Amendment, and could not accept it. The clause only made a separate assessment of any one parish in a district permissive on the part of the trustees.

MR. M'LAREN observed, with respect to the remark of the right hon. and learned Lord Advocate, that there had been many instances in which a so-called permissive assessment had become the general rule. The case of roads in upland districts was similar to that of highways in the case of coal mines, which used only railway branches in their works, which had recently been discussed, and such like works, except that roads for the use of sheep would cost £30 or £40 per mile, while roads in mining districts would require an expenditure of £200 to £250 per mile. He had been in favour of a lower assessment in the case of mining parishes until a convincing speech of the right hon. Gentleman the Secretary of State for the Home Department changed his convictions. If it were not fair to have a lower assessment in mining districts using only branch railways, neither was it right that there should be one in upland districts. A flock of sheep might pass over three or four parishes before it arrived at market, and, therefore, the roads were used by the whole of those districts. The same observation applied to vehicular and other traffic, and made it clear roads could not be considered as being merely for the exclusive use of any particular parish.

Mr. CAMPBELL-BANNERMAN rose to Order. The Amendment seemed to him to be consequential upon another which had been negatived. If the words proposed to be left out were omitted, the clause would become nonsense.

Mr. SPEAKER said, that an Amendment which had already been put to the House did appear to him to deal with the question, and therefore the present Amendment could not be put.

Amendment *dropped.*

Clause *agreed to.*

Clauses 52 to 55, inclusive, *amended* and *agreed to.*

Clause 56 (Power of road authority to recover expenses of extraordinary traffic).

Mr. MARK STEWART moved, as an Amendment, in page 30, line 30, after "authority," to insert "may make bye-laws for the regulation or prevention of such traffic on certain roads and." He urged that this clause was intended especially to deal with extraordinary traffic, and, as had been already pointed out, the Amendment was not intended to unduly restrict the use of traction engines, but to keep them within proper limits.

Amendment proposed,

In page 30, line 30, after the word "authority," to insert the words "may make bye-laws for the regulation or prevention of such traffic on certain roads and."—(*Mr. Mark Stewart.*)

Question proposed, "That those words be there inserted."

Mr. ANDERSON inquired why the word "prevention" was inserted in the Amendment, if it were only intended to give the surveyor power to regulate the traffic?

Mr. MARK STEWART explained that it was only desired to "prevent" such traffic where the roads were too narrow to admit of it with safety.

The LORD ADVOCATE said, the difficulty he experienced was that the words of the Amendment were so very vague, and as they were intended to apply to locomotives on roads, it would be really and truly handing over to the local authority the power of legislating for such purposes. He must remind the House there was now before it a Bill for the special regulation of locomotive traffic on roads.

Amendment, by leave, *withdrawn.*

Clause *agreed to.*

Clauses 57 to 87, inclusive, *agreed to.*

Clause 88 (Clause C.—Special provisions for highways in counties of Lanark and Renfrew).

Sir EDWARD COLEBROOKE moved, as an Amendment, in page 46, line 19, to leave out the words "and statute labour." The effect of the Amendment would really be to offer an advantage to the City of Glasgow.

Amendment proposed, in page 46, line 19, to leave out the words "and statute labour."—(*Sir Edward Colebrooke.*)

Question proposed, "That the words proposed to be left out stand part of the Bill."

Dr. CAMERON did not think that it was material to Glasgow whether the words were left out or not. If they remained in, Glasgow would have to pay a share of the statute labour debt of Lanark and Renfrewshire; but, on the other hand, he considered, it would be enabled to bring a claim against those counties for expenditure incurred in improving certain statute labour roads within the city, which would practically counterbalance the county claim.

Mr. ANDERSON observed that it was a new thing to hear the hon. Baronet (Sir Edward Colebrooke) offer a boon to Glasgow, and he feared it was a case of *Timeo Danaos et dona ferentes.* He (Mr. Anderson) had already said so much against the clause, that he would not repeat his words further than to characterize the clause as a deliberate act of spoliation. Not only was this the opinion of the Glasgow people, including himself, but *The Scotsman,* which might be considered the national paper in Scotland, and which had never shown any very kindly disposition towards Glasgow—as there was some jealousy between Glasgow and Edinburgh—had had a special article on the subject.

Mr. SPEAKER said, he must point out to the hon. Member that it was not regular to refer in debate to articles in newspapers which reflected upon the proceedings of the House.

Mr. ANDERSON would simply say that that paper characterized the clause as spoliation and black-mail. County Gentlemen were acting in the way that raiders of old times used to do. Whenever they wanted anything they went into the nearest town to take it by force, "for," said they, "what is the use of having a rich town near at hand if you can't take what you like out of it?" The mouths of the gentlemen of the county of Edinburgh watered, and they wondered why they had not made a haul out of the City of Edinburgh by the Bill as the gentlemen of Lanark and Renfrew had done out of Glasgow. But opposition to the clause would be carried on as long as possible, and they would not cease to protest against its injustice. The particular Amendment in question was, however, so small that it was not worth contesting.

Amendment, by leave, *withdrawn.*

Dr. CAMERON moved, as an Amendment, in page 46, line 20, to leave out the word "counties," and to insert "lower ward of the county," in lieu thereof. This was, he said, the first of a series of Amendments directed against the unjustifiable proposal to place upon Glasgow half the road debts of Lanark and Renfrewshire as well as its own. When the Bill was in Committee, it was agreed that the county of Lanark should be considered as three counties for every purpose except the payment of Lanarkshire debts by Glasgow. What he now proposed to do was to extend that division of the county to the purposes of this clause. The Lower Ward of Lanarkshire was in close proximity to Glasgow, and there might be some reason for requiring Glasgow to pay its portion of the debt. But the Upper Ward of the county of Lanark was nearer to Edinburgh than Glasgow; and, on what principle the latter should be asked to pay the debt of that portion of the county, he could not understand. What, therefore, was proposed by this series of Amendments was that Glasgow should pay its share of the debt of the Lower Ward of Lanarkshire, and what he contended was the full extent of its share in connection with Renfrewshire. About £70,000 a-year of the rateable value of Glasgow was in Renfrewshire, and to charge it upon its total rental of £3,000,000 for the purpose of paying the debt of that county was preposterous. A new injustice had been developed by the statements of the hon. Member for Greenock (Mr. Stewart), and the hon. Baronet the Member for Lanarkshire (Sir Edward Colebrooke), it having been actually said by them that Glasgow should pay its share of the road debts of Greenock and Paisley. Could anything be more preposterous? The Amendment he now moved would have the effect of mitigating the injustice, and considerably cutting down the contribution that Glasgow would have to make to the road debts of these counties.

Amendment proposed, in page 46, line 20, to leave out the word "counties," in order to insert the words "lower ward of the county."—(*Dr. Cameron.*)

Question proposed, "That the word 'counties' stand part of the Bill."

Colonel MURE protested against the Amendment, as the roads in question were of great use in Glasgow.

Sir EDWARD COLEBROOKE urged that Glasgow had always maintained that it had a right to a share in the management of these roads, and had actually taken an active part in it. He could not, therefore, see any hardship in Glasgow bearing its share of the expenses of their maintenance. It should also be remembered that when the roads were made and debts were incurred by their formation that they were the great trunk lines of the country. It was that point that should be taken into consideration.

MR. ANDERSON pointed out, that if some of these trunk roads led to Glasgow, some of them led to Edinburgh also, and that the part of the county of which the House had been discussing was nearer Edinburgh than Glasgow, and it would be more reasonable to make Edinburgh pay than Glasgow. The proposal to make Glasgow pay part of the debt on the roads of a distant part of the county with which she had nothing to do was absurd, and this was shown by the fact that for every purpose excepting that of plundering Glasgow, Clause 93 divided Lanark into three separate districts, which were each to pay their own burdens.

SIR WINDHAM ANSTRUTHER took exception to the statement of the hon. Member who had just spoken (Mr. Anderson), that there was an attempt in the Bill, on the part of the county, to plunder Glasgow. He wished to remind the hon. Member of this—it was not the rural districts of the county of Lanark that urged the Bill upon the Government. It was the city of Glasgow, and the hon. Member did not make a favourable appearance when he assumed the character of the biter bit. The city of Glasgow had wished to plunder the rural districts of Lanarkshire in order to use the roads without expense—by the abolition of tolls—and all that was now asked of Glasgow was that it should pay its fair share of the burden that would be thrown upon the county in consequence of the abolition of tolls. With regard to the Amendment before the House, let him remind hon. Members that the debt in question was incurred in the construction and improvement of roads not made for local, but for Imperial traffic. In some instances, these roads were made at the request of Glasgow far more than of the localities through which they passed, and he submitted that their present value was not the only subject for consideration. Their value at the time they were made and before the disturbing element of railways intervened must be borne in mind. To use an expression that was not a new one, he might say that if the steam engine had remained in the tea-kettle nothing would have been heard as to the hardship of tolls, and this Bill would never have come before the House of Commons. It was to benefit the general public that these roads were made, and debt incurred that would not now be necessary. As the roads were made for the benefit of the whole community, the debt incurred in making and maintaining them ought to be a charge upon the whole community.

MR. M'LAREN said, he could not understand the logic of the hon. Baronet who had just sat down (Sir Windham Anstruther). He taunted the hon. Member for Glasgow (Mr. Anderson) by saying that it was not the county, but the city of Glasgow, that originated the demand for the Bill, and that Glasgow ought, therefore, to submit. But because Glasgow asked the Government to introduce a Bill whose provisions should be just and equitable, was Glasgow bound, therefore, to submit to a Bill, the provisions of which were unjust and inequitable? Surely it would be strange logic to say so? As to the allegation that these roads were made for the benefit of the whole community, and for Glasgow in particular, he might remind the House, and especially the English Members, that Lanark contained about 40 parishes; that, being a large county, it was touched in its outlines by nine other counties that surrounded it, and that many of these counties were much nearer to Glasgow than the outlying district of Lanarkshire. There were no fewer than 1,332 miles of road in the county. Would the hon. Baronet venture to say that all the remote cross statute labour roads among these were made for the benefit of Glasgow, when, perhaps, not one man in Glasgow in 100 had ever seen one-half of them? Railways were now so abundant that people in Glasgow desirous of travelling any distance never went by road. Of the 1,332 miles of road in the county, 416 miles were turnpike roads, and 916 statute labour roads; and one of the great acts of injustice committed in this Bill was the mixing up of the statute labour roads with the turnpike roads, with which they had no connection. It might be said, that by removing toll-bars, a benefit was conferred on Glasgow; but how could a benefit be conferred on Glasgow by altering the mode of rating with regard to statute labour roads, of which Glasgow had the use now? The Bill, as it stood, was also the embodiment of another mode of jobbing into the hands of the agricultural interest, in the matter of statute labour roads. The Bill provided that the statute labour roads should be maintained by an equal rating on properties according to the annual rack-rent by the valuation roll; but, at present, no rate was laid on houses in Lanarkshire for maintaining the statute labour roads, and no rate on factories or on mines. Nearly the whole of the rates were laid on agricultural lands and on horses; but, under the Bill, when one equal rate was levied all over the county, the agricultural interest would be relieved, perhaps, from one-half of their statute labour burdens. The county at present was divided into plough-gates, each contributing at the rate of so many days' labour, the value differing in the various parishes. There was no rate on houses, nor on minerals, nor on public works, nor manufactories. But, in future, the Glasgow man who had a villa, and some ground around it, would have to pay, perhaps, his £5 on £200 a-year of rental, and to a much greater extent on his mines and factories. These sums would go to relieve the agricultural interest; and, besides, Glasgow would be saddled with one-half of the whole road debts. How could Glasgow be interested in these 1,332 miles of road to such an extent? If the House adopted the Amendment of his hon. Friend, they would act very much in accordance with the Report of the Royal Commissioners. This Lower Ward was closely connected with Glasgow, and the Commissioners recommended that Glasgow should pay its proportion of the debt on the roads that actually entered the city. That would be done if the Amendment were adopted. If the Bill, as it now stood, should pass, he ventured to say that it would be a blot on the Government's escutcheon for years to come, and would cause an amount of irritation, not in Glasgow only, but throughout Scotland, of which the right hon. Gentleman the Secretary of State for the Home Department, or the Government, could have little conception. Reference had been made to the comments of an Edinburgh paper that day; but another Edinburgh paper two days before had denounced the proposals of the Government, if possible more strongly, and referred to them as acts of pure Vandalism. No one had ventured upon any calculation which would justify these roads being maintained to such an extent by Glasgow. In Mr. Smith's Report, there was not a single figure to show that he ever inquired into the expense of their maintenance, and into the proportion which Glasgow should pay. The arrangement was a hop-step-and-jump arrangement, and he was sorry the Government had been so weak as to adopt it in the face of the most positive evidence collected by previous Royal Commission that it would be grossly unjust.

THE LORD ADVOCATE said, he would remind the hon. Member who had taken his seat (Mr. M'Laren) that, by an Amendment which had been agreed to, the words "statute labour" had been struck out of the clause. ["No, no!"] He begged pardon if that were not so. [Mr. M'LAREN said, what he had shown was merely the extent of the roads.] They knew that the amount of the statute labour debt was exceedingly small. Then, with regard to the other roads—the main lines of turnpike roads—they were those which were burdened with debt, which centred in Glasgow, and which, at one time, were the only means of communication between Glasgow and the South. In the same way Edinburgh had a direct line of communication by Berwick. It was not the case that Glasgow was being plundered for the rest of the county. The way in which the debt had been allocated was this—they took the whole debt, and apportioned it against Glasgow and the two counties; and they might just as well say on the same principle that Lanark was paying the debt of Renfrew, or Renfrew the debt of Lanark, as that Glasgow was paying the debts of both. With regard to the Amendment, he had said enough to indicate that he could not accept it, and he did not think any argument in its favour could be derived from the circumstance that the county had been divided into three distinct districts; because it must be plain that a different principle was applicable in the allocation of debt for payment of a road, and of the cost of its maintenance after it had been made. The cost of making might be much the same in all the districts; but the cost of maintenance depended on the use made of the road; and while one district might hardly use it at all, and cause but little tear and wear, another district might so use it as to involve its constant repair. It was right, therefore, that there should be a division of districts, and it was also right, as was contemplated by those who made the division, that the contribution of the city of Glasgow should be spent in its immediate neighbourhood, and in the lower district.

MR. RAMSAY remarked, that the whole of the controversy which had arisen on this subject was due to the fact that in framing this clause, the Government had violated the leading principle of the Bill. The leading principle of the assessment clauses was that the money derived from the ratepayers within any given area should be expended for the maintenance of the roads within that area. Upon what principle was Glasgow called upon to pay towards the future maintenance of roads with which they had nothing to do?

MR. ASSHETON CROSS said, the House was not discussing the question of maintenance, but that of the cost of making.

MR. RAMSAY said, the debt section was under discussion, and he wished to point out that it was inequitable to burden Glasgow with debt and maintenance. On what principle, he asked, were burghs which had no share in the management of these roads asked to pay a share of the debt? Nothing more inequitable could be conceived.

MR. CAMPBELL - BANNERMAN sympathized with his hon. Friends the Members for Glasgow; but did not think much progress was likely to be made if the question between Glasgow and the counties was to be raised on every clause of the Bill. This clause was as to the division of Lanark into three wards, and, *primâ facie*, there was reason in the proposal; but after what had been said by the hon. Baronet behind him (Sir Edward Colebrooke), he thought Glasgow had put herself out of court by claiming so assiduously, as he said she had done, a share in the management of the roads with regard to which this debt had been incurred. On the whole, he thought the Government were right.

Question put.

The House *divided:* — Ayes 87; Noes 33: Majority 54. — (Div. List, No. 196.)

DR. CAMERON, in moving, as an Amendment, to insert, after line 23, a Proviso, proposing to limit the time of payment of the annual sum of £12,500, payable by the City of Glasgow by Provisional Order to be issued by the Secretary of State, said, he understood the right hon. Gentleman the Secretary of State for the Home Department had some proposition to make upon the point.

Amendment proposed,

In page 47, after line 23, to insert the words "Provided always, That if at any time after the expiration of three years from and after the commencement of this Act, within the counties of Lanark and Renfrew, it shall appear to the burgh local authority of the City of Glasgow, or of any one of the said burghs that, having regard to the cost of maintaining the roads, highways, and bridges within the said counties, or either of them, the payment of the said sum of twelve thousand five hundred pounds sterling should terminate or be reduced, the said burgh local authority may from time to time apply to the Secretary of State to make a Provisional Order terminating or reducing the said payment, and the Secretary of State may issue a Provisional Order under his hand and seal of office, in relation to the matters mentioned in the application, either in accordance with the prayer thereof or with such modifications or alterations as may appear to him to be requisite, and the whole procedure prescribed by section nine of this Act with reference to the Provisional Orders thereby authorised, and the confirmation thereof, shall be and are hereby made applicable to the Provisional Orders authorized by this section; or the said burgh local authority may, instead of applying to the Secretary of State to make a Provisional Order, apply to Parliament by Private Bill to effect the said objects."—(*Dr. Cameron.*)

Question proposed, "That those words be there inserted."

MR. ASSHETON CROSS said, he thought that a convenient time to make a suggestion to the hon. Members for Glasgow. He would, therefore, suggest to them, and strongly press upon the hon. Members for Lanark and Renfrew, to accept, in order to come to a conclusion upon the matter, what, he thought, would be a fair and reasonable compromise, both to Glasgow and to the counties. Nobody wanted the question of the future maintenance of the roads to be a perpetual cause of trouble, either on the one side or the other; and he, for one, was desirous, if possible, to avoid anything of the kind. Now, whatever the calculations of Mr. Smith, the Commissioner, might be, he (Mr. Cross) had the greatest confidence in the judgment of that gentleman. It was clearly impossible, however, for anyone to vouch for the absolute accuracy of the cost of maintenance; and, therefore, it seemed to him it might be very fairly put as the hon. Member for Glasgow (Dr. Cameron) proposed, that there should be some provision in the Bill for a future revision, should either Glasgow or the counties ask for it. He (Mr. Cross) did not think it should be immediately. The hon. Gentleman had inserted the period of three years, and he (Mr. Cross) proposed that the period of five years should be inserted instead. After that period, any person discontented with the measure, should be able to come, either by a Provisional Order or a Private Bill, and ask for a re-adjustment. That, he thought, would be fair to the interests of both parties, and if it met with the favour of the House, he should be willing to accept, on the part of the Government, the Proviso which had been moved by the hon. Member for Glasgow, after he had made one or two alterations in it. He really thought it was a fair compromise.

Dr. CAMERON, after what the Home Secretary had just stated, would withdraw his Amendment, and leave the matter in the hands of the Government. At the same time, he begged to say the concession would not satisfy Glasgow. Half-a-loaf, however, was better than no bread, and, therefore, it would be a very foolish thing for them to refuse this offer, especially as everything else they had asked for had been refused them. If this matter turned out as they expected it would, the Proviso as agreed to by the Home Secretary would, at least, give an opportunity for revision; though he did not exactly see the reason of prolonging the period from three to five years, or, indeed, for prolonging it longer than was absolutely necessary for gaining experience as to the cost of the roads. He would not oppose the Amendment; on the contrary, he accepted it; but he wished it to be distinctly understood that he did not do so as a compromise which would bind the authorities of Glasgow to refrain from further opposition to the measure.

Mr. ANDERSON said, the right hon. Gentleman opposite (Mr. Cross) had spoken of this as a compromise. Now, Glasgow could not accept it as such—she utterly repudiated it as a compromise; but if the right hon. Gentleman chose to put in the Proviso as a salve to his own conscience for the iniquity of Clause 88, all he could say was that Glasgow would not vote against him. They did not, however, at all admit that it did justice to Glasgow. For instance, the Proviso was not to be made retrospective, so that at the end of five years, Glasgow would have been plundered of £50,000. If the revision showed that the calculation was a wrong one, Glasgow ought to have some means to get back the money she had paid.

Mr. ASSHETON CROSS said, the Proviso, as he should propose it, would read as follows:—

> "Provided always, That if at any time after the expiration of five years from and after the commencement of this Act, within the counties of Lanark and Renfrew, it shall appear to the said counties, or either of them, or to the burgh local authority of the City of Glasgow, or of anyone of the said burgh, that, having regard to the cost of maintaining the roads, highways, and bridges, within the said counties, or either of them, the payment of the said sum of twelve thousand five hundred pounds sterling should be altered, the said counties, or either of them, or the burgh local authority may from time to time apply to the Secretary of State to make a Provisional Order altering the said payment, and the Secretary of State may issue a Provisional Order under his hand and seal of office, in relation to the matters mentioned in the application, either in accordance with the prayer thereof, or with such modifications or alterations as may appear to him to be requisite, and the whole procedure prescribed by section nine of this Act, with reference to the Provisional Orders hereby authorized, and the confirmation thereof, shall be and are hereby made applicable to the Provisional Orders authorized by this section; or the said counties, or either of them, or burgh local authority may, instead of applying to the Secretary of State to make a Provisional Order, apply to Parliament by Private Bill to effect the said objects, provided such Private Bill does not contain any provision, except such as may be necessary for such alteration."

Sir EDWARD COLEBROOKE was glad the proposal had been made by the right hon. Gentleman the Home Secretary. He thought it was an equitable arrangement, that there should be a revision of the arrangement after a certain period; but after the first revision had taken place, a specific period ought to elapse before there was another revision. He objected to there being an indefinite number of revisions.

Mr. M'LAREN said, that he had a new clause on the Paper to the same effect, or rather more stringent than the one proposed by the hon. Gentleman the Member for Glasgow; but, in order to save time, he would not move it. As to Mr. Smith's Report, he had not seen it until three days' ago, and he found that gentleman recognized the power of applying for a Provisional Order; but he did not say it should be applied for only after three or five years, but at any time.

MR. RAMSAY expressed regret that the right hon. Gentleman the Home Secretary had determined that the period should be five instead of three years. In the course of this discussion hon. Members had frequently referred to the great wealth of the city of Glasgow; but the House ought to know what the real facts were. He had had an analysis recently furnished him of the valuation of Glasgow, and he found in a city containing upwards of 600,000 inhabitants, there were only 4,600 houses with a rental of over £30 per annum. This showed that the population of Glasgow was poor rather than wealthy, and that an addition to the rates of 1*d.* in the pound was a very serious burden to a very great number of persons in the city.

Amendment (*Dr. Cameron*), by leave, *withdrawn.*

Amendment (*Mr. Assheton Cross*) *agreed to.*

Clauses 89 and 90 *agreed to.*

Clause 91 (Clause D. — Power of board to make bye-laws).

MR. VANS AGNEW moved, as an Amendment, in page 50, line 24, after "wheel," to insert as a separate sub-section—

> "For regulating the weight which may be carried over any highway, and of prohibiting the passage of such weight as may be specified in such bye-laws over certain roads."

The reason he proposed the Amendment was, that in many counties in Scotland the roads were of a very light character, and were not equal to the passage of very heavy traffic over them. They were very different to the roads in the neighbourhood of large towns. At present the road trustees had no control over the heavy weights which were taken along county roads. In his out-of-the-way corner of Scotland they were sometimes visited by a menagerie, some of the vans of which carried enormous weights, such as elephants. He hoped the Government would see their way to accept the Amendment.

Amendment proposed,

In page 50, line 24, after the word "wheel," to insert the words as a separate sub-section,—"For regulating the weight which may be carried over any highway, and of prohibiting the passage of such weight as may be specified in such bye-laws over certain roads."—(*Mr. Vans Agnew.*)

Question proposed, "That those words be there inserted."

THE LORD ADVOCATE opposed the Amendment for this reason—that, although by adopting it they would enable the road trustees to deal with an occasional elephant passing along the roads, yet it would at the same time empower them to put a stop to locomotive traffic, and that was one of the vexed questions which ought not to be settled in that Bill.

Question put, and *negatived.*

Clause *agreed to.*

Clauses 92 and 93 *agreed to.*

Clause 94 (Clause G.—As to certain bridges and ferries in Dumbartonshire).

SIR GEORGE CAMPBELL moved the omission of the clause. It had, he said, been added in Committee without discussion, and had reference to the continuance of certain pontages on bridges in the county of Dumbarton for a number of years. It would be much more reasonable to leave those pontages under the operation of the general provisions of the measure. Under Section 33 of the Bill, as it now stood, it was distinctly enacted that all tolls in Scotland should cease upon the passing of the Act, and provision was made for meeting the claim on account of compensation; yet, in another clause, an exception was made, and these pontages in Dumbartonshire were to be continued, although he could not understand for what reason.

Amendment proposed, to leave out Clause 94.—(*Sir George Campbell.*)

Question proposed, "That Clause 94 stand part of the Bill."

THE LORD ADVOCATE said, the hon. Member had omitted to notice one important fact, which was, that these bridges were not part of a highway in the meaning of this statute, but simply private property. He quite admitted they were a great grievance; but the persons in the county interested in the matter, after a great many conferences, had voluntarily adjusted the clause, and had asked the Government to give it their sanction. It settled a very unpleasant local question in a very reasonable way, to the satisfaction of everyone concerned ; and, therefore, the Government had agreed to its insertion in the Bill.

Question put, and *agreed to.*

Clause *agreed to.*

Clause 95 to 113, inclusive, *agreed to.*

Clause 114 (Incorporation of parts of General Turnpike Act).

Colonel ALEXANDER moved, as an Amendment, in page 58, line 17, to leave out "three," and insert "five." The limit of three miles as the extent to which metal for the repair of the road might be fetched was, in his opinion, too small.

Amendment proposed, in page 58, line 17, to leave out the word "three," in order to insert the word "five."—(*Colonel Alexander.*)

Question proposed, "That the word 'three' stand part of the Bill."

The LORD ADVOCATE said, he could not accept the Amendment. It appeared too much to say that the road authorities should be entitled to take from the property of one small proprietor metal extending to five or six miles of road.

Question put, and *agreed to.*

Remaining clauses *agreed to.*

Schedules *agreed to.*

Bill to be read the third time *Tomorrow*, at Two of the clock.

CORRIB (GALWAY) RIVER BILL.

(*Sir Henry Selwin-Ibbetson, Mr. James Lowther.*)

[BILL 225.] SECOND READING.

Order for Second Reading read.

Major NOLAN expressed a hope that before the Bill went into Committee, the Government would consider the propriety of contributing a portion of the expenses for the maintenance of the works.

Sir HENRY SELWIN-IBBETSON said, that subject had been under the consideration of the Government, and part of the expenses—£372—were taken in the Estimates of the year. The item would be found at page 50 of Class I. of the Estimates for the year.

Bill read a second time, and *committed* to a Select Committee of Five Members, Three to be nominated by the House, and Two by the Committee of Selection.

Ordered, That all Petitions presented against the Bill be referred to the Select Committee on the Bill, provided such Petitions are presented one clear day before the Meeting of the Committee, and that such of the Petitioners as pray to be heard by themselves, their Counsel, or agents, be heard upon their Petitions, if they think fit, and Counsel heard in favour of the Bill against the said Petitions:—That the Committee have power to send for persons, papers, and records ; Three to be the quorum.

TRURO CHAPTER BILL—[*Lords.*]

(*Mr. Assheton Cross.*)

[BILL 234.] SECOND READING.

Order for Second Reading read.

Mr. ASSHETON CROSS, in moving that the Bill be now read the second time, trusted the House would allow that step to be taken. When the canonries throughout the county were reduced to four in each Cathedral, a fifth was left to Exeter ; but now that Cornwall was separated from Exeter, it was proposed that the income of the fifth canonry should go to the See of Truro. Everybody concerned was agreeable. The right hon. Gentleman concluded by moving the second reading.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. Assheton Cross.*)

Mr. DILLWYN said, he had never heard of what use canons were. He always looked upon them as useless and obselete, and he regretted that it should now be proposed to transfer one to the new Bishopric of Truro.

Mr. ASSHETON CROSS said, the duties of the Bishop of Truro would be by no means a sinecure, as the hon. Gentleman seemed to think.

MR. COURTNEY said, the Bill went beyond what the right hon. Gentleman the Home Secretary had stated. It was for the formation of other canonries, besides the one transferred from Exeter. He thought, under the circumstances, it was rather hard to press the second reading at that hour of the night, and he would, therefore, move the adjournment of the debate.

Motion made, and Question proposed, "That the Debate be now adjourned."—(*Mr. Courtney.*)

THE CHANCELLOR OF THE EXCHEQUER considered it was not fair that the debate should be adjourned, as the proposal in the Bill was one of a very simple and a very reasonable character. One of the canonries in Exeter was to be transferred to Truro, and opportunities were to be given for the formation of more canonries, if the liberality of the public would provide for them. But there was no question which connected this House with the foundation of those canonries. He, therefore, thought the hon. Gentleman might fairly allow the Bill to be proceeded with; because, if they put off Bills in that way, it would be difficult to find time to get through their Business.

SIR JOSEPH M'KENNA said, on his own part, that he had no objection to allow the Bill to proceed; but must point out that it was only in the hands of hon. Members that morning.

Motion, by leave, *withdrawn.*

Original Question put, and *agreed to.*

Bill read a second time, and *committed* for *Monday* next.

IDIOTS, &c. (IRELAND) BILL—[BILL 149.]

(*Mr. Arthur Moore, Mr. Meldon, Mr. O'Shaughnessy.*)

CONSIDERATION AS AMENDED.

Order for Consideration, as amended, read.

Bill, as amended, *considered.*

MR. MACARTNEY moved, as an Amendment, in page 2, line 13, to omit all the words after the word "unless," down to the end of the clause, and to insert the following:—

"With the consent of the immediate relative, and if there be no immediate relative, then of the workhouse chaplain of the religious denomination to which he or she may belong."

MR. A. MOORE said, these words were to the same effect as those already in the Bill, only in a different form. He had, however, no objection to the new words.

MAJOR NOLAN thought the words proposed might be agreed to.

Amendment *agreed to.*

Bill to be read the third time *To-morrow*, at Two of the clock.

MONUMENTS (METROPOLIS) (No. 2) BILL.

CONSIDERATION OF LORDS' AMENDMENTS.

Moved, "To agree with the Lords' Amendments." — (*Sir James M'Garel-Hogg.*)

SIR JOSEPH M'KENNA desired to say a few words respecting the Bill.

MR. SPEAKER: The observations of the hon. Gentleman must be confined to the Lords' Amendments; he cannot discuss the Bill itself.

SIR JOSEPH M'KENNA said, he had no longer anything to urge against the Bill, as the Lords had struck out the 4th section, and he altogether approved of their doing so. The other Amendments which they had made were merely formal, and had also his most complete approval.

Motion *agreed to.*

MARRIAGE PRELIMINARIES (SCOTLAND) BILL—[BILL 86.]

(*Dr. Cameron, Mr. Baxter, Mr. M'Laren, Mr. Ernest Noel, Mr. Edward Jenkins.*)

CONSIDERATION AS AMENDED.

Order for Consideration, as amended, read.

Bill, as amended, *considered.*

MR. RAMSAY moved, as an Amendment, in Clause 8, page 3, line 6, after "hereafter," to leave out to the end of the clause, his object being to prevent a combination of fees and salaries in the payment of registrars.

Amendment proposed, in page 3, line 6, to leave out from the word "thereafter" to the end of Clause 8.—(*Mr. Ramsay.*)

Question proposed, "That the words proposed to be left out stand part of the Bill."

Dr. CAMERON said, he was in the hands of the Government as to whether the Amendment was to be accepted or not, though he could hardly see how he himself could accept it without incurring a charge of breaking faith with the registrars whom it concerned, and who, for two years, had supported the Bill in its present shape.

Sir HENRY SELWIN-IBBETSON hoped the Amendment would not be persevered in.

Mr. RAMSAY said, the clause as it now stood involved a principle which was not adopted in any other Act affecting registration in Scotland. The registrars were paid by salaries exclusively, and it would be very hurtful to introduce a new principle. In a few years they might have to re-consider this Bill, and then they would be called upon to give compensation for these fees, when there was no necessity for it.

Mr. VANS AGNEW considered that the other duties which were to be imposed upon the registrars made it reasonable that they should be recompensed.

Question put, and *agreed to.*

Bill to be read the third time *Tomorrow,* at Two of the clock.

House adjourned at Two o'clock.

HOUSE OF LORDS,

Friday, 5th July, 1878.

MINUTES.]—Public Bills—*First Reading*—Epping Forest* (144).

Second Reading—Public Health (Ireland) (133).

Committee — Telegraphs* (142); Metropolis Management and Building Acts Amendment* (72-145); Local Government Provisional Orders (Abergavenny Union, &c.)* (116); General Police and Improvement (Scotland) Act, 1862, Amendment* (124).

Committee—Report—Local Government Provisional Orders (Dawlish, &c.)* (121).

Third Reading—Intermediate Education (Ireland)* (132); Dental Practitioners* (140); Conway Bridge (Composition of Debt)* (111), and *passed.*

INTERMEDIATE EDUCATION (IRELAND) BILL.—PETITION.

Earl GRANVILLE presented a Petition from the Ladies' General Educational Institute, praying that female students might be permitted to share the benefits of the Intermediate Education (Ireland) Bill introduced by the Government. It was well known that a strong feeling existed in England on the question of female education, and he believed that a similar feeling prevailed in Ireland. He need scarcely say that he agreed with the principle advocated by the Petitioners; and he should have moved an Amendment in support of that principle; but, as the Lord Chancellor had stated that there was nothing in the Bill to prevent the Board under it admitting women to the advantages provided, he would rather allow the Bill to remain as it stood than now move its re-committal, and thus run the risk of delay.

CRIME IN IRELAND.

RETURNS. QUESTION.

Lord ORANMORE and BROWNE asked, When the Returns relating to Irish crime would be circulated? and said, he was sorry to again trouble their Lordships on the question; but he did not think that the fault of his being obliged to do so lay with him. He had examined the Returns for 1875-6, and found that nearly all the information he had asked for was contained in less than two sheets of paper. The further information which he sought to procure must exist in the Office of the Chief Secretary for Ireland, and he could not help thinking that the Returns might be easily made in the form he desired within 10 days. The delay could only arise from wilful neglect. His object in asking for these Returns was to show their Lordships and the public in general that the statements which he made on the occasion of the debate on the dreadful murder of the late Lord Leitrim were not exaggerated, but were deserving the serious attention of the Government. He would like the noble Lord, who would reply on the part of the Government, to state what amount of crime had been committed in Ireland since the death of Lord Leitrim; for it was said during the debate he had referred to, that if the condition of things did not improve, the Government might have to apply to Parliament for extra powers to enforce the law. As a matter of fact, no improvement had taken place. He did not wish to trouble their Lordships with statistics, in addition to those which he presented a fortnight ago; but he might state that since then the steward of a gentleman in the neighbourhood in which he resided had been shot at, the bullet going into the mattress on which he and his wife were sleeping. Fortunately, they had bought a new and higher bed, or it would have gone through their bodies. He had also heard, within the last few days, that Westmeath and Meath were again becoming dangerous. A friend of his informed him that he had received several threatening letters — a thing which had never happened to him before. Other cases of violence and opposition to the law had arisen, and the terror which prevailed was so great that it would be impossible for him to enter into details; because, if he were to give the name of individuals, serious consequences might ensue. He should be glad if the Government could hold out any hope that, while they were so perpetually engaged in trying to bring about good government in Eastern Europe, they would endeavour to afford some security for life in a country nearer home.

THE DUKE OF RICHMOND AND GORDON assured the noble Lord that no unnecessary delay had taken place in acquiring the information asked for and presenting it to Parliament. On the contrary, arrangements had been made with the printers that the proofs should be sent in instalments, in order that no time might be lost. Several instalments of the Report had been forwarded to the printers, so that he could say the Report was in course of preparation, and he hoped to be able to lay it on the Table of the House in a short time.

MALTA—PROTEST OF THE MALTESE NOBLES.

QUESTION. OBSERVATIONS.

VISCOUNT SIDMOUTH asked Her Majesty's Government, Whether there would be any objection to lay on the Table of the House the Protest of the Committee of Maltese Nobles, which was forwarded to the Government on the appointment of a Commission to examine the claims of the Nobility of Malta, as well as the Correspondence that passed between the Commissioners and the Permanent Committee of the Nobles? The noble Viscount said, that having brought the subject before the House on a former occasion, he had now very little to add. It would be remembered, that two or three years ago, a strong feeling existed amongst the Maltese Nobility with regard to their position in society, particularly on public occasions, and the matter culminated on the visit of the Prince of Wales to the island. The subject was referred to the Government, and the then Secretary of State for the Colonies wrote to the Governor to appoint a Commission to inquire into the grievance complained of by the Nobles. He had not one word to say against the step taken by the noble Earl, except as to the constitution of the Commission. As to the character and talent of the gentlemen selected he would not say anything; but he thought that in a small island like Malta, where those matters were so much talked about in society, some exception might be taken to two of the members of the Commission, especially as considerable feeling had been evinced as to the relative position of the Nobles and the Judges. A protest was made against two of the Commissioners, and the question which he asked the Government was, whether there would be any objection to produce the Protest? While the Commission was sitting, some Correspondence passed between the Permanent Committee of the Nobles and the Commissioners; and he would like to be informed by the Under Secretary of State for the Colonies whether that Correspondence could also be presented to the House?

EARL CADOGAN, in reply to the first part of the noble Viscount's Question, begged to state that no protest of any kind had been received by the Government with reference to the matter, and certainly not with respect to the composition of the Commission. As the noble Viscount was aware, the Report of the Commission had already been laid on the Table of the House. He might say that a Petition was addressed to the Queen, regarding the place of honour due to the Nobility of Malta. It was forwarded to England by the then Governor of Malta, and was included in the Papers which were presented to the House of Commons some time ago. That was the only document in the nature of a Protest in the possession of the Government; but if the noble Viscount wished to have it, and would move for it, he would lay it on the Table of their Lordships' House.

VISCOUNT SIDMOUTH said, the Protest was addressed to the Governor of Malta.

EARL CADOGAN remarked, that it was not remitted to the Home Government.

THE EARL OF CARNARVON would take the opportunity of answering one of the remarks which had been made by the noble Viscount (Viscount Sidmouth). The noble Viscount had commented on the composition of the Commission. The Commission was not appointed by himself as the then Secretary of State for the Colonies, but by the Governor of Malta. He had no hesitation, however, in saying that he believed the Commission was a fit and proper tribunal to inquire into the case. Two of the gentlemen selected were Judges who had spent the best part of their lives in the island. They were men of high character and great experience, and it would have been difficult to have found men better qualified for the task. He was not sorry to be able to bear his testimony to the patience with which the Commissioners conducted the Inquiry, and the ability which characterized their Report.

PUBLIC HEALTH (IRELAND) BILL.

(*The Lord President*).

(NO. 133.) SECOND READING.

Order of the Day for the Second Reading, read.

THE DUKE OF RICHMOND AND GORDON, in moving that the Bill be now read the second time, said, it was unnecessary that he should enlarge on the advantages of the consolidation which it sought to bring about in the Acts affecting the public health of Ireland. The Bill contained 294 clauses, dealing with as many as 20 Acts of Parliament, all of which would be found referred to in the Schedule. It was strictly analogous to the English Public Health Act. The Acts of 1848 and 1856, and the various Statutes on the subject of the prevention of disease, of nuisance removal, and of sewage removals, and the powers which were conferred on various local authorities were in 1866 applied to Ireland. In 1872, there were great reforms in these Acts as they applied to England, and the country was divided into urban and rural sanitary districts, and all the old powers which were conferred by various Statutes were transferred to these new bodies. It was obviously only to simplify the law to consolidate the numerous Statutes to which he had alluded. The present Bill merely gave to Ireland the advantages which had already been given to England, and he confidently hoped their Lordships would think it a wise and proper measure.

Moved, "That the Bill be now read 2^{a}."—(*The Lord President.*)

VISCOUNT POWERSCOURT said, he had had a good deal of conversation with members of the Medical Council in Ireland, and he was happy to say that that body was most anxious that the Bill should pass. He had given Notice to move the insertion of a clause in Committee, which he would shortly bring up.

Motion *agreed to;* Bill read 2^{a} accordingly, and *committed* to a Committee of the Whole House on *Tuesday* next.

House adjourned at a quarter before
Six o'clock, to Monday next,
Eleven o'clock.

HOUSE OF COMMONS,

Friday, *5th July*, 1878.

MINUTES.]—NEW MEMBER SWORN—Isaac Wilson, esquire, *for* Middlesborough.

PUBLIC BILLS—*Second Reading*—Drainage and Improvement of Land (Ireland) * [227].

Select Committee—Report—County Courts Jurisdiction [No. 267]; County Courts Jurisdiction (No. 2); County Courts Procedure.

Committee—Highways (*re-comm.*) [214]—R.P.; Valuation of Lands (Scotland) Amendment (*re-comm.*) * [205]—R.P.

Considered as amended—Commutation of Tithes * [222]; Tenant Right (Ireland) [31].

Third Reading—Idiots, &c. (Ireland) * [149]; Marriage Preliminaries (Scotland) * [86], and *passed.*

The House met at Two of the clock.

CONTROVERTED ELECTIONS.

Mr. SPEAKER informed the House that he had received from Mr. Justice Field, one of the Judges appointed in pursuance of the Parliamentary Elections Act, 1868, for the Trial of Election Petitions, and from J. Talbot Airey, esquire, the prescribed Officer appointed by the Court of Common Pleas under the provisions of the same Act, Reports relating to the Election for the Southern Division of the County of Northumberland:—

Reports read, as follow:—

Northumberland County (Southern Division) Election.

Common Pleas Office,
Chancery Lane, W.C.
4th July, 1878.

Sir,

In the Matter of the South Northumberland Election.

Henry Milvain and others, Petitioners.
Albert Henry George Grey, Respondent.

I have the honour to Report to you, in pursuance of the 40th section of "The Parliamentary Elections Act, 1868," that the Petition in the above matter is this day withdrawn by the said Petitioners.

I have the honour to be,
Sir,
Your most obedient humble Servant,
J. Talbot Airey,
The Prescribed Officer appointed under the Act.

To the Right Honble.
The Speaker.

The Parliamentary Elections Act, 1868.

Southern Division of Northumberland Election Petition.

Arthur Edward Middleton, Petitioner;
and
Edward Ridley, Respondent.

To the Right Honourable
The Speaker of the House of Commons,

I, Sir William Ventris Field, knight, one of the Justices of the High Court of Justice, Queen's Bench Division, and one of the Judges for the time being for the trial of Election Petitions in England, do hereby, in pursuance of the said Act, report to you that a Summons came on to be heard before me in the matter of the above Petition, on behalf of the Petitioner, for leave to withdraw such Petition, and upon hearing the Solicitors or Agents on both sides, and upon reading the affidavits produced before me by and on behalf of the respective parties, I ordered that the Petitioner be at liberty to withdraw such Petition; and I report, that in my opinion the withdrawal of such Petition was not the result of any corrupt arrangement, or in consideration of the withdrawal of any other Petition.

William V. Field.

Dated this fifth day of July, 1878.

Letter and Notice received from Mr. Justice Field [19th June] again read:—

Northumberland County (Southern Division) Election,—

Westminster Hall,
18th June, 1878.

Sir,

I beg to inform you, pursuant to "The Parliamentary Elections Act, 1868," that a Notice, of which a copy is herewith enclosed, was duly filed on the 15th instant.

I am Sir,
Your obedient Servant,
William Ventris Field.

To the Right Honourable
The Speaker.

(Copy.)

In the High Court of Justice, Common Pleas Division.

The Parliamentary Elections Act, 1868.

Election for the Southern Division of the County of Northumberland holden on the 10th and 17th days of April in the year of our Lord 1878.

Between Henry Milvain and others, Petitioners;
and
Albert Henry George Grey, Respondent.

I hereby give notice that I do not intend to oppose this Petition.

Dated this 15th day of June 1878.
Albert Henry George Grey.

Ordered, That the Deputy Clerk of the Crown do attend this House forthwith, with the last Return for the Southern Division of the County of Northumberland, and amend the same by rasing out the name of Albert Henry George Grey, esquire.

The Deputy Clerk of the Crown attended and amended the said Return accordingly.

QUESTIONS.

* * *

THE ADMIRALTY—THE ACCOUNTANT GENERAL OF THE NAVY.—QUESTION.

Captain PIM asked the Secretary to the Admiralty, Whether it is true that Mr. R. G. Hamilton, an assistant secretary to the Board of Trade, has been appointed Accountant General of the Navy, in preference to competent gentlemen of high character and standing who have served many years in the Department with the hope of promotion; whether Mr. Hamilton receives a salary of £1,500 per annum, being £300 a-year more than his predecessor received; and, upon what grounds this increase has been given to a gentleman quite untried at the Admiralty?

Mr. A. F. EGERTON: It is true that Mr. R. G. Hamilton has been appointed Accountant General of the Navy at a salary of £1,500 a-year, which rate of salary is £100 a-year, and not £300 a-year, in excess of that received by his predecessor. The Accountant General's Department having been thoroughly reorganized, it was considered desirable to obtain the services of some gentleman whose known experience and abilities would enable him to carry out the reforms contemplated. These abilities Mr. Hamilton has shown himself to possess in the exercise of his duties at the Board of Trade, and the increased rate of salary is given in consideration of the increased amount of responsibility incurred owing to the abolition of one of the two Deputy Accountants General.

Captain PIM gave Notice, that on going into Committee of Supply, he would call attention to the appointment, and move—

> "That, in the opinion of this House, the appointment of a gentleman as head of a Department with which he has not previously been connected, and without any experience of its working, and over the heads of tried and competent servants of the Crown, is unjust, and has a tendency to seriously weaken the public service."

POOR LAW AMENDMENT ACT (1876) AMENDMENT BILL.—QUESTION.

Mr. GOSCHEN observed, that the consideration of the Lords' Amendments to the Poor Law Amendment Act (1876) Amendment Bill was down for that evening. In the absence of the hon. Member for Ashton-under-Lyne (Mr. Mellor), who had charge of the Bill, he asked the President of the Local Government Board, Whether he would use his influence with the hon. Member not to bring on the Bill at an hour when it could not be fairly and reasonably discussed? The divisions which took place in the House of Lords clearly showed it to be necessary that the Amendments should receive fair discussion in that House.

Mr. SCLATER-BOOTH, in reply, said, that he could give no pledge on behalf of his hon. Friend the Member for Ashton-under-Lyne; but, having heard nothing from him, he certainly should not expect the Bill would be brought on that night.

PROVISIONAL ORDERS FOR IRISH WATERWORKS.—QUESTION.

Mr. SYNAN (for Mr. Evelyn Ashley) asked Mr. Attorney General for Ireland, What was the cause of the delay in introducing the Bill for confirming certain Provisional Orders relating to Waterworks for Downpatrick and Sligo, whereby the Bill has been lost for this Session?

The ATTORNEY GENERAL for IRELAND (Mr. Gibson), in reply, said, the Sligo Provisional Order proposed to revive powers conferred on the Town Council by a local Act in 1869. Besides compulsory powers to interfere with the waterworks, the draft Order proposed to enable the local authorities to take quarries and other private property without compensation. Before the introduction of such an exceptional Order in the form of a Bill, it became necessary to consider how far it affected the Public Health (Ireland) Act. A Bill to confirm the Order was introduced in sufficient time to be passed if it were unopposed; but a Petition was presented afterwards, which precluded the possibility of its becoming law this Session, and would have had the same effect if the Bill had been introduced at a considerably earlier period. The reason of the delay was the time that was necessarily occupied by the Local Government Board in its preparation, and the subsequent consideration by the Law Officers of Ireland of the difficult questions which had been raised. It did not follow that this had been the cause of the loss of the Bill, as it was not certain that such an Order, being opposed, would have had any chance of being passed this Session. The Downpatrick Order was included in the same Bill, and therefore shared the same fate as Sligo; but care would be taken in future to avoid placing an Order not likely to be opposed in a Bill with another Order to which opposition might be expected.

ORDERS OF THE DAY.

HIGHWAYS (*re-committed*) BILL.

(*Mr. Sclater-Booth, Mr. Salt.*)

COMMITTEE. [*Progress 28th June.*]

Bill *considered* in Committee.

(In the Committee.)

Main Roads.

Clause 11 (Disturnpiked roads to become main roads, and half the expense of maintenance to be contributed out of county rate).

MR. PAGET moved, in page 4, line 42, after "authority," to insert "or of such other person or persons as the county authority may appoint."

MR. SCLATER-BOOTH said, he had no objection to the Amendment.

Amendment *agreed to.*

MR. SCLATER-BOOTH moved, in page 5, at end, to add—

> "Provided that no part of such expenses shall be included in—
>
> "(1.) Any precept or warrant for the levying or collection of county rate within the Metropolis; or
>
> "(2.) Any order made on the council of any borough having a separate court of quarter sessions, under section one hundred and seventeen of 'The Municipal Corporation Act, 1835.'"

He had considered the abstruse points which would be involved were this Bill passed in conflict with the policy of this Amendment, and he was satisfied that the Bill would not work in any other way so long as the jurisdiction remained in the county authority. As regarded the Metropolis, there were certain turnpike roads which had fallen in since 1870, both in the East and North of London. It would, of course, be a reasonable thing that these roads should be cast upon the common fund of the Metropolis, or else become county roads; but it would be inconvenient that the county should have anything to do with them; and if anything were done it would be more analogous to the mode in which these things were generally arranged in the Metropolis, that they should be thrown upon the common fund of the Metropolis. But he did not propose to touch these roads at all. He was satisfied that was the only convenient mode of dealing with the subject at present. With regard to the quarter sessions boroughs, they were in a different position. It appeared, from a Return which he had had furnished to the House, that two-thirds of those boroughs made no contribution whatever under the existing state of things to the county rate, and there was no doubt that the magistrates were precluded by the Municipal Corporation Act from levying any new contribution. Of the remainder, seven or eight might be left out of consideration, because their contribution was a voluntary contribution for lunatic asylum purposes. The others, which contributed more or less to the county rate, paid what he took to be contributions which had been continued from times antecedent to the Corporation Acts. It would be quite contrary to the practice of Parliament to throw this new charge upon these independent bodies; and, in his judgment, it could not be done until these bodies were united with the county authority in some representative district. The Bill was, therefore, conceived with the view of excluding the area of the Metropolis and of the quarter sessions boroughs from its operation, and he hoped the Committee would be content to leave it so.

SIR WALTER B. BARTTELOT thought the Amendment involved an exceedingly important question. If a Highway Bill were to be passed, it should be a complete measure. In the Scotch Bill, discussed at the previous Sitting, it was distinctly laid down that Glasgow was to pay for certain roads in the neighbouring counties. Glasgow and Scotch Members protested; but the provision was carried in spite of their protests. The right hon. Gentleman laughed; but the Committee were now dealing with a similar subject as it affected England. There were 95 boroughs to be exempted; but, if they were exempted, why were all the other towns to be included? There were but four boroughs in Lancashire having quarter sessions of their own. Other large towns of Lancashire, with their hundreds of thousands of population, were to be charged; but these four fortunate towns would not be charged. Was this right? His right hon. Friend had proposed, in his first Bill, to give power to re-establish turnpike tolls, under certain conditions; but it was felt by all that that could not now be done. He would only now say that these towns who benefited more by the abolition of tolls than any other part of the country in which they were situated, had a right to pay something towards the maintenance of the roads. In his own county there were two towns —Chichester and Lewes—which were in precisely the same position. Chichester had a quarter sessions, and would be exempt from payment; Lewes had no quarter sessions, and would have to pay. Such anomalies would not bear examination. It was not right to deal with a difficulty by putting it on one side as was here proposed; and the difficulty here would, in his opinion, be met more easily than the Government supposed. He had looked into the facts with regard to county rates; and although it was true that for certain purposes these towns were free from county rates, there was nothing to prevent Parliament laying future burdens on the towns.

Mr. RYLANDS said, he was glad to hear the remarks of the last speaker, for though the hon. and gallant Baronet and he approached the question from different points of view, their conclusions were the same. The proposed compromise was indefensible, and in the county with which he was connected would operate most unjustly. He was connected by residence with the borough of Warrington, and he represented another large borough. Was it possible for the Committee to entertain for a moment a proposal, the effect of which would be to exclude Wigan from liability to contribute to the maintenance of main roads because it happened to have quarter sessions, and to impose a heavy charge upon Warrington and Burnley because they had not quarter sessions? He believed that at the present moment the provisions of this Highways Bill were unknown in the country. He did not believe that the boroughs in different parts of the country which had not quarter sessions had the slightest idea that there was a Bill now before the House of Commons, the effect of which would be to impose upon them their proportion of one-half the cost of maintenance of the main roads of the Kingdom, which was an entirely new charge, and would be a very considerable tax upon borough property. The President of the Local Government Board had drawn a distinction between boroughs with quarter sessions and boroughs without; but as regarded the point they had now before them there was no distinction. The distinction that did exist was in reference to the administration of justice and the maintenance of gaols, the charges for which quarter sessions boroughs were relieved from, because they had their own administration of justice, and they used to have gaols of their own; but that had nothing to do with the maintenance of roads. They were now proposing to impose a new charge, and it should be dealt with in one of two ways—either they should exclude the large towns, or they should include them whether they had quarter sessions or not. He entirely objected to this piecemeal legislation. He should be quite prepared to support the right hon. Gentleman in excluding all boroughs. In Scotland, all towns of 5,000 inhabitants and upwards were excluded from the operation of the Highways Bill, so that any place which was, properly speaking, an urban as distinguished from a rural community, was exempt from contribution to the maintenance of high roads, and there was reason in the exemption. No doubt, boroughs made use of the county road; but then they had to make their streets at a very great cost, and to submit to heavy charges year by year for their maintenance. He did not say that it might not be legitimate, if some plan could be devised by which a proportional share of the maintenance of roads in counties should be placed upon the urban authorities; but it was intolerable and unjust that property which was of very great value in large towns should be called upon to contribute a very considerable share to the cost of the maintenance of these main roads. The set-off which the right hon. Gentleman proposed to give to the towns was practically an illusion. He had the highest respect for the President of the Local Government Board, who, he believed, was most anxious to deal with the question in a fair and reasonable way; but he could not assent to the proposal by way of set-off, that in the case of certain roads which had been disturnpiked since 1871, if any part of them passed through a borough, the borough should have a claim upon the county for a certain amount towards the maintenance of these roads, because there were scarcely any of these roads within boroughs which had been disturnpiked since that time, and there would, therefore, practically, be no set-off; while the great amount of rateable property existing in large towns would form a very important item in the contributions to the county rate. What he would suggest was that the clause should be postponed, to enable the President of the Local Government Board seriously to consider how this matter could be dealt with. It could not, he was satisfied, be dealt with in the manner now proposed. The right hon. Gentleman had bought off the formidable opposition connected with the Metropolis and the quarter sessions boroughs, and he would now have to buy off the rest of the boroughs, or to bring forward a scheme that would place on a just and equitable basis the amount of the contributions from the different localities. He regretted that the Bill was drawn on such narrow limits. It was wasting the time of the House to deal with the question in this piecemeal fashion; and he, for one, should not regret if the Bill were withdrawn. If, however, they were to go on, he urged that the clause should be withdrawn and another clause brought up, which would meet the difficulties to which he had referred. If that course were not taken, he should propose to amend the Amendment; and if the right hon. Gentleman persisted in excluding boroughs with quarter sessions, and in including other boroughs, he should do everything in his power to oppose the Bill.

MR. GREGORY said, he had formed the opinion that all boroughs having quarter sessions were, to a certain extent, liable to county rate, notwithstanding what had been said by the right hon. Gentleman (Mr. Sclater-Booth), who had moved the Amendment. There were three Acts of Parliament all requiring a contribution from the boroughs, in proportion to the expenditure of the county, for certain purposes. No doubt, the county magistrates could not assess or levy a rate within these boroughs; but they could send in a requisition of the amount required for county purposes, other than those from which the boroughs were specially exempt, and they had the power of enforcing this requisition under these circumstances. The question was, how were they to deal with the Amendment? He should be very sorry to stop the progress of the Bill; but he considered that if the Committee were to adopt the Amendment, as it stood, they should stereotype the principle of giving up now and for ever the liability, whatever it might be, of these boroughs. He should be willing to come to an arrangement with these boroughs. He had no wish to do anything that would seem unjust to them; and, having regard to their position, it might be desirable that they should not be saddled to the full extent that the county rate at present would fall upon them. But he did feel the impossibility of assenting to the words proposed; and he would therefore suggest to the right hon. Gentleman, that he should not at present press the Amendment. As far as the Metropolis was concerned, he had no objection to it.

MR. SCLATER-BOOTH remarked that it would be quite impossible, in a Bill of this kind, to impose a new charge in connection with the county rate without express acknowledgment and machinery for putting it into operation. The hon. Member for Burnley (Mr. Rylands) had complained that certain towns in Lancashire would be heavily charged for the purposes of this contribution, mentioning his own town and Warrington; while, he said, Wigan and other places would escape. But they were told by the Lancashire Members that those towns were only too anxious to contribute to the county rate. The hon. Member for Oldham himself (Mr. Hibbert) proposed an Amendment to that effect in the County Boards Bill. He (Mr. Sclater-Booth) apprehended that the practice of Lancashire was to contribute by arrangement towards the county rate. Then the hon. Member for

Burnley talked about the enormity of this charge. Now, what did this charge amount to? Only £150,000 upon the whole county rating of the Kingdom, or about one-third or one-fourth of the relief which had recently been afforded by the operation of the Prisons Act. As it stood, then, at the present moment, and until this machinery was extended and further developed, the charge was really not one worth talking about. His hon. and gallant Friend the Member for West Sussex (Sir Walter B. Barttelot) seemed to suppose that it was a new fancy of his to exempt quarter sessions boroughs. It was nothing of the kind. When he came to frame this Bill, with a view of doing what had long been urgently demanded, he found no other rate upon which he could rest except the county rate, and that seemed to him a reasonable and a fair line to draw. Some of these quarter sessions boroughs would be glad to come into this arrangement, as they would receive in the way of contribution more than they would be called upon to pay. In the original draft of the County Government Bill, it was proposed to exempt even local board districts from the operation of this rating, but they one and all remonstrated against that solution; and he found that in Cheshire, Essex, Lancashire, and many other places, there was the greatest anxiety on the part of the local board districts to come in and have the benefit of this charge spreading over the whole of the county rate. Seeing, then, that it was not a large charge, seeing also that those towns were certainly contributory to the county rate, it did seem to him that this was a reasonable step to take, and that the addition which he proposed might be made to the clause without the slightest alarm or anxiety. The hon. Member (Mr. Gregory) said he would be satisfied if he thought the principle would not be stereotyped for ever. Surely the hon. Gentleman had sufficient experience of Acts of Parliament to see that this was an omnibus Bill, containing fragmentary Amendments, which would necessitate, at some later period, the introduction of a consolidation measure with a view to place the whole of the law on a uniform and satisfactory basis? The Highway Acts were a mass of confusion; and if he had attempted to consolidate them in connection with his Amendment, not one Session only but two Sessions might be too short for that purpose. He considered that the Government, in introducing the measure, bound itself to bring in, at as early a period as possible, a Bill to consolidate all the existing Highway Acts, when the Amendments now introduced might be reviewed and re-considered.

Mr. STANSFELD thought that the remarks of the right hon. Gentleman, instead of diminishing, had strengthened the objections to the Amendment. He had perceived nothing in the argument of the right hon. Gentleman which would justify the imposition of this charge upon boroughs which had not quarter sessions, if quarter sessions boroughs were to be exempted. The right hon. Gentleman seemed disposed to treat this matter as one of detail. That might be; but the reason why the Committee was in the difficulty in which it now found itself was that the Government had abandoned the County Government Bill, which would have determined, according to the mind of the country and that House, any questions upon which, at the present moment, they were unable to come to a conclusion. He would take this very question, on which he differed from many hon. Friends on his own side of the House. He said distinctly that he agreed with hon. Gentlemen on the other side, who argued that no boroughs ought to be excluded from their share of county expenditure; but he said, at the same time, that those boroughs ought not to be excluded from their share of county government; and that question would have come on for discussion if the County Government Bill had not been withdrawn. If the Amendment of the right hon. Gentleman were adopted by the Committee, a claim would be created on behalf of boroughs which had no quarter sessions, many of them more populous than those which had, and he was at a loss to see how that claim could be resisted.

Mr. CHAMBERLAIN said, the hon. and gallant Member for West Sussex (Sir Walter B. Barttelot) generally took an exceedingly fair and impartial view of everything that was brought under his notice; and he was surprised, therefore, at his endeavour to impose a new charge upon quarter sessions boroughs on such slight grounds as he had alleged. He was quite prepared, nevertheless, to submit his case on behalf of one of the greatest quarter sessions boroughs to the hon. and gallant Member, who would, he was quite sure, give it a fair consideration. He quite agreed with the hon. and gallant Gentleman that this was a question which ought to be settled at once. If there were any claim which could, in justice, be urged against quarter sessions boroughs, let them by all means recognize it in their legislation immediately, and not postpone its consideration until two or three years' hence. But what was the just balance as between counties and boroughs in this matter? He took it for granted that the obligation to be admitted was, at all events, a mutual and reciprocal one. If, on the one hand, boroughs were called upon to pay for the usor of county roads, counties should, on the other, be called upon to pay for the usor of the borough roads. He would take his own case as an illustration. The markets of Birmingham were very largely attended by country people, who came in with very heavy waggons, which passed over a considerable extent of their roads. Those roads had all been disturnpiked for the last 10 or 12 years, and the country people contributed nothing towards their maintenance. At present, he did not think there was a single turnpike road within the municipal limits; and, accordingly, if under this Bill Birmingham were included as one of the highway areas, it would have a great deal to pay, but not one single penny to receive. He asked the hon. and gallant Member whether he thought that, in the case of Birmingham at all events, such a provision would be fair? Its position would be that of the stork in the fable, who was invited to sup with the fox. The fox served the meal on a flat dish, and the stork went hungry away, the fox licking up the whole of the dinner. It would be rather hard to expect that Birmingham should be prepared to pay for half of the banquet and get none of the meat. The hon. Member for Burnley (Mr. Rylands) had got up a sort of triangular duel. If he understood the hon. Gentleman's position accurately, he would actually prefer that injustice should be done to the quarter sessions boroughs than that justice should not be done to the borough which he represented. He would suggest to him that he should interfere at this stage of the proceedings if he could make out a just case for his constituents; and he, for one, would be very happy to support him in any addition which he might desire to make to these exemptions; but he would point out to him that, at all events, there were two *primâ facie* distinctions to be made between the quarter sessions boroughs and the other boroughs. In the first place, as the President of the Local Government Board had stated, the former had a sort of prescriptive right to immunity in connection with all these charges which had not been conferred by previous legislation upon the non-quarter sessions boroughs, and, in the next place, it would be found that in the vast majority of quarter sessions boroughs the position would be the same as in Birmingham—they would have everything to pay and very little or nothing to receive. In the case of the majority of boroughs which had no quarter sessions, he very much doubted whether the advantage would not be on the side of those boroughs, and whether the hon. Member's constituents would have any reason to thank him if he succeeded in obtaining the exclusion of his own borough from the provisions of this Bill. The real cause of complaint, it seemed to him, was this—that the hon. Gentleman and his constituents would be called upon to pay without having any share in the representation. That was an evil which he should hope at some future time might be remedied. If it be desirable—as the right hon. Gentleman the Member for Halifax (Mr. Stansfeld) had suggested—that quarter sessions boroughs also should come into the general scheme of county government, he saw no possible objection to that; but if they were to be made contributors to county purposes, and those purposes were to include main roads, then it would be necessary to have some other definition of main road than turnpike. They must have some definition of main roads which would include the main lines of traffic in their great towns, so that there might be established a reciprocal obligation on the part of the counties to pay for what they used, while they imposed upon boroughs a tax for what they used.

LORD GEORGE CAVENDISH said, that ever since he had had a seat in that House he had always been anxious that jealousies between counties and boroughs should not be brought forward. He thought there could be no doubt that the main roads running from town to town were of as great importance to the boroughs, and, perhaps, more so, than to the districts through which they ran. He would instance for one the town of Sheffield, where the main road running into the picturesque part of Derbyshire traversed a wild moor district. Was it to be supposed that the farmers of that district would keep up a road for the great traffic from Sheffield, if the town itself did not contribute something towards the maintenance of the road? It was of very little importance to the farmer whether the roads were rough or not; but it was of very great importance to the heavily-laden omnibuses leaving Sheffield that there should be a good, level road. From Brighton to Newhaven the road was carried along the cliff, and was a most expensive one to keep up. It happened to run through two parishes on the South Down, in which the villages lay on the other side of the Down, and was, therefore, hardly of any use whatever to them. Still, under this Bill, it was proposed to exempt Brighton from contributing to the maintenance of this road, though it might be looked upon as the pleasure drive for that town. The probability was that the road would be neglected. He thought it must be manifest to everybody that the quarter sessions towns were very much interested in keeping up the roads; so much so, that although the right hon. Gentleman said that many quarter sessions towns, which were now under Acts of Parliament, would be exempt, yet he (Lord George Cavendish) thought that if the Committee were to omit all mention of quarter sessions boroughs and allow those that could pay to be brought in, it was very probable that before long the other towns would see that it would be to their advantage to contribute to the maintenance of the roads. In justice to the right hon. Gentleman, who had been blamed on both sides of the House for not bringing in a comprehensive measure, he must say that he did not see how it was possible, on the 5th of July, to pass such a measure—and it must be recollected that while Nero was fiddling, Rome was burning. While they were talking about who was to pay, the roads were getting worse. Those who knew anything about roads must know that "a stitch in time saves nine;" and if they put off the settlement of this question for another year the roads would only become worse and worse, and the expenses, already heavy, would be so much greater. The right hon. Gentleman was doing now what the Turnpike Roads Committee, of which he (Lord George Cavendish) had the honour to be Chairman, asked him to do, and that was to get in the narrow end of the wedge by laying down the principle that the counties should provide one-half towards the maintenance of the roads. If they got this principle established they should soon find in the working of it that several other things which they could not now perceive would become necessary; and they might expect in another Session to have what hon. Members were so anxious for—namely, a comprehensive measure passed. The hon. Member for Burnley (Mr. Rylands) had talked about a new charge being imposed upon boroughs; but he should remember that the inhabitants of boroughs had not been released from the old charge to which they were liable under the old turnpike system. Whatever might be said against that system, it would hardly be denied that it was a fair one. The inhabitants of certain boroughs used the county roads, and they paid for them; but, under the present arrangement, they might use the county roads without paying for them. For his part, he could not see why quarter sessions boroughs should be exempted from this charge.

Mr. CARPENTER GARNIER could not see why the boroughs should be allowed to use the roads without paying for them.

Mr. HIBBERT failed to see on what grounds an exemption could be made in favour of boroughs with quarter sessions any more than boroughs which had not them. In Lancashire there were four quarter sessions boroughs — Liverpool, Manchester, Bolton, and Wigan — but there were many other municipalities with a much larger population than either Wigan or Bolton; and he did not see why places like Oldham and Warrington should be called upon to contribute towards the maintenance of the main roads if the other boroughs in the same county were to be exempted. He did not understand upon what principle such a thing could be proposed; because the boroughs with no quarter sessions had to maintain their own roads just as much as the boroughs which had quarter sessions. The former were very glad to get rid of turnpikes, and so also were the latter. He knew that Manchester opposed nearly every Bill that was brought in for the purpose of extending the Turnpike Acts which existed in its locality. He opposed the Amendment, on the ground that at the present time in Lancashire the boroughs with quarter sessions contributed to the county rate for several purposes. Last year Liverpool and Manchester alone contributed something like £23,000 to the county rate for various purposes. If that be the case in that county, it certainly would be imposing no new burden to call upon them to contribute towards the maintenance of the main roads. He thought that in this case they ought to look upon it as a matter of justice and fairness. He did not agree with his hon. Friend the Member for Birmingham (Mr. Chamberlain), that it would be unjust to make quarter sessions boroughs pay. On the contrary, he thought it would be very unjust that they should not pay, for this reason — that the inhabitants of such boroughs would use the main roads.

MR. GREGORY asked that he might be allowed to put himself right. The right hon. Gentleman (Mr. Sclater-Booth) had stated that he had not adverted to the provisions of the Municipal Act with respect to boroughs before 1865. Now, he was in the recollection of the Committee when he said that he distinctly stated that the justices had no power of levying a heavy rate. He knew that the county could require a contribution from the municipal borough, and that the county treasurer could require an account. Again, the right hon. Gentleman said there was another question on the 12th clause. As he read the 12th clause, that was a clause which provided for management and jurisdiction, and did not affect county rate. He was sorry this discussion should have arisen, and threatened to become an impediment to the Bill. He should be happy to facilitate the progress of the Bill as well as he could; and with that view it had occurred to him that some qualifying words might be inserted in this clause. He would merely suggest that the Amendment might be accepted without prejudice, and that the question might be left open for consideration at a future opportunity. The difficulty, to his mind, was that if they passed this Amendment as it stood, they would decide for ever the exemption of these boroughs. Therefore, what he suggested was that after the word "or," and before "any order," they should insert the words "subject to and without prejudice to any provisions that may be hereafter made." This would show that further provision was contemplated; and it would prevent this provision from being quoted as closing for ever the consideration of the matter, or prejudicing the consideration of any further provisions which might be hereafter made. He would suggest those words, and perhaps the right hon. Gentleman would consider them.

MR. KNOWLES, after listening to this very interesting discussion, would appeal to the right hon. Gentleman whether he could not bring up something on the Report that would meet this case. He agreed with the hon. Member for Birmingham (Mr. Chamberlain) that boroughs would have to keep their own highways in repair. Although the traffic on the highways outside the borough did not pay the borough rates there were warehouses, or some places or other within the borough, on which they would pay rates. When they came to look at the heavy traffic from Bolton to Manchester those were two boroughs which would be excluded from the Bill, and the intermediate places would be subjected altogether to the expense of this heavy traffic. They had warehouses in Bolton and Manchester which contributed to the rates; but these places did not contribute to the highway rates. Although this Amendment would free the borough he represented, there was some justice in saying that the boroughs should contribute something. It was a question of degree; and he was sure if the right hon. Gentleman would consider it before the Report they might come to some arrangement.

MR. MUNTZ said, there appeared to be some confusion in regard to this clause. It seemed to him that it was proposed that the boroughs were to pay their share of the county rate, and the counties were not to pay their share for roads within the boroughs. Now, he never could agree to that. It was not a question of policy, as an hon. Member had stated. In the borough which he represented there were 27 miles of highway, and under the clause as it stood they would have to pay for keeping these roads in good order. He wanted to know if they were to keep these 27 miles in order and to pay county rates as well, or would the county keep them? If they were to have fair play, the county should either pay for these roads, or the borough should be excluded from the county rate. The right hon. Gentleman had taken the latter course; and, as far as he could see, it must be maintained. If hon. Members for counties thought the matter should be re-considered, he did hope that they would be prepared to take their share, and would not throw all the burdens on towns which would have, at the same time, to pay county rates.

Sir BALDWYN LEIGHTON considered it was a question of expediency and time. He thought that after what had fallen from both sides of the House there seemed to be a general consensus of opinion that it was a fair thing to exclude the towns. With regard to what had been said by the hon. Member for Birmingham (Mr. Muntz), he did not know how they maintained 27 miles of road, when boroughs would receive half the contribution from the county rate. ["No, no!"] He thought that would be the effect. ["No, no!"] He would suggest that his right hon. Friend (Mr. Sclater-Booth) should consider the matter, and perhaps he might meet the views that had been expressed. It was a question whether what was required could be done within the time. He did not know whether it was possible for him to postpone the clause, in the hope of bringing it up after with an alteration. There was a clause in the Scotch Bill which gave power to make some provision between boroughs and counties on the taking off of turnpike gates. During five years they had power to make rates. In England they had not this power; and he must say the justice of the case had been very fairly put by hon. Gentlemen opposite, whose boroughs, it seemed to him, should be all included in the Bill. The practical effect would be very slight—very slight, indeed. There was a district in his own county where he found some of the boroughs would actually receive, though others would pay. The change would be very slight; and really the whole principle of rates was that the whole community in the county ought to contribute. If they had an opportunity of working the Bill, very probably, in a short time, a course would be found which would facilitate the question to be decided. It really appeared to him that the right hon. Gentleman ought to say whether, under the circumstances, he would postpone the clause, or would reserve this Amendment for later decision. It was really only a question whether it could be introduced now or not.

Mr. RATHBONE said, the towns had no objection to pay their share for the roads which brought traffic into them, provided that the county paid their share of the main roads within the towns. All the towns objected to was that the county charge should be put upon them without any such provision. As soon as the right hon. Gentleman provided for this reciprocal contribution, although the towns might have to pay something more they would not object; but they did object to these charges being thrown upon them without any counter charges being considered at all. Liverpool now paid £16,000 to the county expenditure. All they wished for was that the question should be considered as a whole, and that the matter should be put upon a fair footing.

Sir JOSEPH BAILEY remarked that the difficulty in which the Committee now found itself was not a new one, but was a difficulty which was continually occurring in the ordinary course of rating in the country. Wherever the property was partly urban and partly rural, and when the rate for gas or other matters had to be levied, those outside the towns paid one-fourth of the rate; and he would venture to suggest that that principle ought to be considered in the present case, and some modified or mitigated rate might be derived from it.

Sir JULIAN GOLDSMID said, it was clear that the cost of the roads outside the boundaries of towns was defrayed by the parishes through which they ran; and he had no doubt that the towns ought to contribute something. But, on the other hand, the argument of the towns was this. There were main roads in their towns which were used by the county as arterial or through roads; and they contended that if they contributed to the maintenance of the roads outside, those outside ought to contribute to the cost of maintenance of the arterial roads inside the borough boundaries. It really came to this—what were main or arterial roads? He did not think that any solution would be arrived at until they had an uniform system of county government. What he understood the right hon. Gentleman to say was, that he was proposing this as a stop-gap until he could go more fully into the matter by the County Government Bill. It seemed to him it would be better to pass the clause as it stood, and leave the right hon. Gentleman to bring up a new clause, or Amendments to this, on the Report, and then take a final decision upon it. It would be a pity if, after having gone so far, they did not go on with the matter.

MR. SCLATER-BOOTH was sorry to speak so often; but so many questions on this interesting subject naturally arose, that he was obliged to address the Committee somewhat frequently. He should, of course, have no objection to accepting the words proposed by the hon. Gentleman (Mr. Gregory); but whether they would have much effect, he thought was doubtful. It would appear to be an indication that some contribution must hereafter be made from these towns. What he wanted to put before the Committee was the fact that there were many kinds of towns. There were 95 quarter sessions boroughs, and these were boroughs where the county magistrates had no right to go in and levy a county rate. Whether that was for the general interest, or not, was another question. He did not go into that; but as the magistrates had now no authority, if Parliament did put them into these towns for these purposes, representation must be given to the towns for county purposes. Besides these 95 quarter sessions boroughs, there were more than 100 having separate petty sessional jurisdiction, and there were, also, local board districts. The whole of these would come in, for better, or for worse; and thus an enormous majority of the towns populations of the Kingdom would come in. By this Amendment of the clause, he was endeavouring to draw a clear line between them. He did not think there was much justice or injustice on either side. Many quarter sessional boroughs would pay more than they gained if they were brought in. Others would gain more than they paid. Difficult questions as regarded main roads would arise; and he did not think it would be well to add to the difficulties of the Bill by including these quarter sessional boroughs, which were not included at the present time. He thought it would be well to accept the Amendment with the words of the hon. Member; and if, in the course of discussion, it should appear that the opinion of the Committee was different, words could be added on the Report. With regard to remarks by an hon. Gentleman opposite, it never was his intention that anything in the language of this Amendment should restrict the operation of the clause to which he gave his assent the other day. If the hon. Member thought that would be the effect of his Amendment, he must add the words "notwithstanding anything in the previous part of this Act contained."

Amendment *amended*, by inserting after the word "or," the words "without prejudice to any provision to be hereafter made."

MR. RYLANDS moved that the proposed Amendment should be amended by the omission of the words—

"having a separate court of quarter sessions under section 117 of the Municipal Corporation Act, 1835,"

and the insertion of the words "incorporated under the provisions of the Municipal Corporation Act of 1835." The clause would then provide that all such boroughs would be excluded from the expenses to be contributed towards the maintenance of the disturnpiked and main roads out of the rate. The effect would be to exclude not only quarter sessions boroughs, as proposed by the right hon. Gentleman, but also boroughs not having a separate court of quarter sessions. In support of this, he pointed out that every argument the hon. Member for Birmingham (Mr. Chamberlain) had used—and used with much force—against that town being included in the provisions of the clause, applied quite as strongly to boroughs not having the separate courts of quarter sessions. The hon. Gentleman had alluded to the fact that there were markets in his borough to which country people brought their produce for sale week by week: that was also a very common thing in boroughs without quarter sessions. In the borough with which he was connected, in Lancashire, large markets were held, and country people went to the markets with produce for sale, and they were never asked to contribute anything towards the maintenance of the streets they used. The hon. Member (Mr. Chamberlain) said, with regard to Birmingham, that there were no turnpike roads within the borough. Under this Amendment the borough which he represented would have no claim upon the county rate for any turnpike road within the borough. There might be a few exceptional cases; but with regard to the majority of large towns, the streets formed no part of the turnpike roads. Well, now, his hon. Friend the Member for Birmingham seemed to draw a distinction between quarter sessional boroughs and municipal boroughs. It seemed that the right hon. Gentleman (Mr. Sclater-Booth) drew the same distinction. The right hon. Gentleman said there was a prescriptive right to boroughs having quarter sessions to be free of all charges by county authorities, and there was also a prescriptive right to municipal boroughs not to be charged with the maintenance of high roads. There was no power in the hands of county authorities to charge municipal boroughs with any portion of the expense of the maintenance of roads. Now, they were trying by this clause to impose a charge on municipal boroughs which had not been previously imposed upon them. It was said that the magistrates had a right of county rates on municipal boroughs without quarter sessions; but they had no right to levy them on boroughs with quarter sessions. That did not bear on the question before the Committee. The county authority had the right to raise rates for police purposes; but, of course, a sessions borough having its own police, the county did not make the charge; but it was equally so with municipal boroughs. The county authorities could levy charges for prisons and gaols formerly, but now only in connection with the administration of justice. There was no authority whatever for any county magistrates to levy charges upon municipal boroughs, or other boroughs, for the maintenance of roads. The right hon. Gentleman was instituting a new charge. He was rather surprised to hear that there was to be a charge of £150,000 a-year. That was not a trifling charge to be laid upon a county to which the boroughs would contribute. [Mr. SCLATER-BOOTH: Upon all the counties of England.] He (Mr. Rylands) thought it was on the county of Lancashire. What he contended for was, that there was no reason whatever for distinguishing municipal boroughs without courts of quarter sessions from boroughs with courts of quarter sessions; and, therefore, he moved the Amendment which he had suggested.

MR. HIBBERT said, he saw no reason why, if exemptions were made in the case of any particular class of boroughs, similar exemptions should not be made in the case of towns which were under the management of local Boards of Health, and which maintained their own local roads. He would suggest to the right hon. Gentleman the President of the Local Government Board, that as there was at present a difficulty in the way of rating quarter sessions boroughs where no rate was now levied, he should omit the latter part of the clause, so as to give power to levy a contribution upon quarter sessions boroughs on a basis to be fixed by representatives of the boroughs and of the counties in which they were situate. He thought this would get over the difficulty of rating boroughs which had never before been subject to the payment of rates.

MR. SCLATER-BOOTH thought the proposal of the hon. Member for Burnley (Mr. Rylands) would not meet the difficulty, as there was no such institution as an order on the Council in the case of a municipal borough, and the Amendment would not therefore agree with the clause. He admitted the cogency of the suggestion which had been made by the hon. Gentleman the Member for Oldham (Mr. Hibbert), and was perfectly willing to undertake that he would, on the Report, provide, if possible, some limitation on the amount to be contributed by the boroughs generally towards the maintenance of the county roads.

MR. RYLANDS pointed out that the county rate levied in municipal boroughs was raised by means of a precept addressed by the county authorities to the overseers, and by them passed on to the representatives of the municipalities; therefore, the order on the Council was an order made by the overseers to cover the purposes, or one of them, of the Act—namely, to maintain the roads within the county.

MR. SCLATER-BOOTH rejoined, that the order referred to was not an order under the particular Act referred to.

Amendment (*Mr. Rylands*) *negatived.*

Original Amendment, as amended, *agreed to.*

On Motion, "That the clause, as amended, stand part of the Bill?"

MR. LEIGHTON said, he felt some hesitation in moving that the clause be altogether omitted after it had been discussed at length and amended by the Committee. He felt it his duty, however, to move his Resolution, and in so doing he should keep within the narrowest limits the reasons which he had to urge. The clause defined two things. In the first place, it stated that main roads were to be roads which ceased to be turnpike roads in the year 1870. On this point he wished for a little information. He should like to know the mileage of the roads in England which would be affected by this provision; and particularly how, in the different counties, the highway districts and parishes would be pecuniarily affected by the changes which were proposed by the right hon. Gentleman. Up to the present time no information had been given on this point; and in saying this he did not complain of any discourtesy on the part of his right hon. Friend, because he did not believe that it was in the power of the President of the Local Government Board to give any information. In the case of one county he had taken the trouble to ascertain what would be the effect of the proposed legislation. He had taken the case of two highway districts in the county, 20 miles apart, and having no community of traffic. He found that in one district the main roads cost for maintenance £45 per mile, and in the other £23 per mile. There being, as he had said, no community of traffic between these two districts, and no common usor of the roads, the spendthrifts of one district would be benefited by the economists of the other if the Bill were passed with the clause to which he objected included in it. He, therefore, thought there ought to be included in the Bill a clause which should make an allocation of rating or contribution between the different highway districts in each county, where the cost of maintaining the roads in those counties differed. If the provision was a good one as far as highway districts were concerned, how much more necessary did it become, and how much more grievous and frequent would the injustice become, when the whole areas of counties had to be dealt with. The example he had given was illustrative of the difficulties which would arise in a greater or less degree in every county affected by the Bill if it became an Act of Parliament. There being some highway districts which had no main roads, and others which contained main roads of considerable length, he could see no fairness in asking the first-named class to pay towards the maintenance of the roads which traversed the districts he had mentioned last. For instance, there was the great Watling Street, which had been a main road for over 1,000 years; but which, under the condition which had been put into the Bill by his right hon. Friend, would become, technically, a highway. It was no answer to him to say that anomalies of this kind would be remedied by subsequent clauses in the Bill; for the old axiom that "prevention is better than cure" was based on common sense, and an anomaly ought not to be included in one clause in order that it might be cured in another. It was a poor excuse to say that the cure of a hardship which might be inflicted by a clause of the Bill would be left in the hands of those to whom the administration of the provisions of the Bill, which involved great changes, would be intrusted. Another objection he had to the Bill was that, so far from giving a single half-penny of relief to the ratepayers, it would increase the rates. The rates in the highway districts would continue; the county rates would be increased, and the money to meet both imposts would come out of the same pockets. In many cases where the turnpikes no longer existed, the Bill would inflict great hardship upon the parishes, and no attempt had been made by his right hon. Friend (Mr. Sclater-Booth) to remove or alleviate those hardships, although, as far as he knew, no one attempted to deny their existence. All that his right hon. Friend had done had been to make the grievance common to all the rural districts, so that no one of them could say it had been exceptionally treated. This was all very well; but community in suffering was not likely to induce the sufferers to hold their tongues. Under the provisions of the Bill the county rates would be increased by, he believed, about one-half, and the highway rates would not be diminished in anything like the same proportion. The courts of quarter sessions would have to double, treble, and perhaps quadruple, the staffs in the departments of the county surveyors, and the highway boards would have to maintain their staffs of officials at the number they at present employed. So much for the financial part of the question. He would next deal, briefly, with the administrative part of the Bill, which was, in his opinion, open to even more severe censure. The administrative portion of the scheme amounted to this—that every main road was in future to be governed by two authorities. The Government was going to oust the old and ancient power of the parish officers; to oust the discretion of that more newly created power, the highway district authority, and to place the superintendence of the main roads in the hands of the courts of quarter sessions. There were even now sometimes strained relations between the courts of quarter sessions and the other local authorities, with respect to the repair of the county roads over bridges; and he asked the Committee whether it was wise to open wide the door for further conflicts at a time when the Government was proposing to consolidate all the local authorities? It must not be supposed that under the provisions of the present Bill the sole duty of the courts of quarter sessions would be to pay the bills which the highway boards sent in to them. He felt certain that the noble Lord opposite (Lord George Cavendish), as the Chairman of the Turnpike Acts Continuance Committee, would bear him out in saying that this was not the idea of the Committee. That Committee had said, over and over again, that as the main roads in the country were deteriorating, some controlling and superintending authority should be placed over the district local authorities. That most unpopular and disagreeable work was proposed to be put in the hands of the courts of quarter sessions. They would have frequently to come down upon the parish authorities and the waywardens, and to refuse them money raised by means of the rates whenever, in their opinion, the roads were out of repair. He could not see that there was sufficient ground for making so great a local disturbance for the sake of effecting a merely temporary arrangement—in other words, until his right hon. Friend could succeed in passing the Bill for county government. As far as the present clause was concerned, it was not asked for by the courts of quarter sessions, the highway boards, the Chambers of Agriculture, the parishes, the landowners, the farmers, or, indeed, anyone directly interested in the subject. Even the Turnpike Acts Continuance Committee did not ask for it in the form proposed. He would put it most seriously to the Government and the Committee, whether this Bill was to be the only legislative out-come of the Resolution which was passed unanimously last year—that the control of the quarter sessions over the rates should be placed in the hands of a more representative authority? It seemed to him that it would be a most satirical commentary upon good Resolutions if, in the face of that Resolution, they were to place in the hands of the quarter sessions the administration of £250,000 more of rates than they had at present; and to take from every highway board, and every parish, that measure of self-government which they had at present, of which they were especially jealous, in respect of roads for which, before the law, they were alone responsible, and for the repair of which they found the money. He thought the House could hardly pass this measure without passing a Vote of Censure upon their own Resolution; and, therefore, he moved the rejection of the clause.

Mr. SCLATER-BOOTH objected to the speech of the hon. Member, on the ground that it went to the principle of the Bill, and ought to have been delivered, if at all, on the Motion for second reading. No Bills were more easy to be talked out than Bills of this class; and therefore the principle of the Bill having been affirmed on the second reading, he deprecated long discussions of its principles in Committee. The substance of the plan contained in the Bill was proposed by him two years ago—long before the Resolution of last Session, to which the hon. Gentleman had referred, and with which it had nothing whatever to do. The principle of the Bill was to charge half the expense of the main roads upon the counties; and although this was analogous to, it was not identical with, the Resolution to which the hon. Member had referred.

SIR EDMUND LECHMERE hoped the right hon. Gentleman would be willing to fix a period for the purposes of this clause more nearly approximating to the year in which turnpikes were abolished. Otherwise, to take an instance, those of his constituents who lived near Malvern would have to bear all the expenses of their own roads, and also half the cost of less important roads in a distant part of the county. If the right hon. Gentleman would not consent to alter the year, perhaps he would consent to allow the local authorities to define what really were main roads.

Clause, as amended, *agreed to.*

Clause 12 (Description of highway areas) *agreed to.*

Clause 13 (Power to declare ordinary highway to be a main road.)

MR. SCLATER-BOOTH moved, in page 5, lines 15 and 19, to leave out "a provisional," and insert "an."

Amendment *agreed to.*

SIR GEORGE JENKINSON moved, in page 5, line 20, after "accordingly," to insert—

> "but such application as above shall not be necessary in the case of main turnpike roads, or roads that have been such, and which are between main arterial towns (such as Bristol and Gloucester), and which roads have been for some time maintained by highway districts."

MR. SCLATER-BOOTH said, the proposed Amendment was unnecessary, and would disturb an arrangement which had seemed satisfactory to the Committee. If the roads to which the hon. Baronet referred were chargeable to the district, they would come within the category of main roads.

Amendment, by leave, *withdrawn.*

MR. SCLATER-BOOTH moved, in page 5, line 29, to leave out "seventy," and insert "sixty."

Amendment *agreed to.*

MR. RYLANDS objected to the clause, for the reason that it would give to the county authorities very exceptional powers without any guarantees that the authorities would possess a representative character.

Clause, as amended, *agreed to.*

Clause 14 (Power to reduce main road to status of ordinary highway).

MR. SEVERNE, who had proposed, in page 5, line 29, to leave out "seventy," and insert "sixty," said, that after the discussion on the 11th clause he should withdraw his proposition.

MR. PAGET moved to omit the word "January" (1879) — the date for the county authority to make an application to the Local Government Board for a Provisional Order declaring that the road ought not to become a main road—and to substitute "May." It might be impossible for the application to be made before the 1st day of January. The Act would not be passed before the month of August next, and the first quarter sessions afterwards would not be held until October. May, instead of January, would therefore, he thought, be more convenient for the issuing of the Order.

Amendment *agreed to.*

MR. PAGET also moved to insert in the same clause, page 6, line 3—

> "The Local Government Board, if of opinion that there is probable cause for an application under this section, shall cause the road to be inspected, and if satisfied that it ought to cease to be a main road and become an ordinary highway, shall make an order accordingly"—

after the word "ought," the words "not to become or."

Amendment *agreed to.*

SIR RAINALD KNIGHTLEY inquired if there were any provision in the Bill for the repair of roads dividing two counties? There was a case in his own county and Warwickshire, and the question had arisen as to who should repair it? The consequence was, the road was impassable?

MR. SCLATER-BOOTH said, that the question was one which would be considered hereafter.

Clause, as amended, *agreed to.*

Clause 15 (Turnpike road in several counties), *agreed to.*

Clause 16 (Accounts of expenses of maintenance of main roads).

MR. SCLATER-BOOTH moved, in page 6, line 18, after "shall," to insert—

> "where the accounts of the highway authority are audited under this Act or under section two hundred and forty-seven of 'The Public Health Act, 1875,' be audited in the same manner as the other accounts of such authority, and where the accounts of the highway authority are not so audited shall."

Amendment *agreed to.*

Clause, as amended, *agreed to.*

Clause 17 (Highway district situate in more than one county), *agreed to.*

Extraordinary Traffic.

Clause 18 (Power of road authority to recover expenses of extraordinary traffic).

SIR BALDWYN LEIGHTON moved, in page 6, line 34, after "that," to insert—

> "having regard to the average expense of repairing highways or main roads respectively in the neighbourhood."

The words had been admitted into the Scotch Roads and Bridges Bill, in the clause dealing with extraordinary traffic, and he hoped the right hon. Gentleman would admit them into this Bill.

MR. SCLATER-BOOTH had no objection to the insertion of the words.

MR. STANSFELD said, that as he gathered from the words proposed to be inserted, "extraordinary expenses" meant "expenses extraordinary," arising from exceptional circumstances, or exceptional causes.

MR. SCLATER-BOOTH said, that the words were in the Scotch Bill, and if his hon. Friend would defer his question until the Report, his right hon. and learned Friend the Lord Advocate would explain why such words had been inserted.

SIR BALDWYN LEIGHTON said, that after the remarks of the right hon. Gentleman, he would withdraw his Motion.

Amendment, by leave, *withdrawn.*

MR. PELL (for Mr. HEYGATE) moved, in page 6, line 34, to leave out "extraordinary" (expenses), and insert "considerable."

MR. SCLATER-BOOTH said, that he had no objection to alteration in the wording, though he did not think that "considerable" would meet the case. It was a question whether the word "excessive" would not apply.

LORD GEORGE CAVENDISH thought "extraordinary" the better word.

SIR BALDWYN LEIGHTON inquired if the carriage of materials for the erection of farm buildings or cottages would come under the word "extraordinary?"

LORD GEORGE CAVENDISH thought the county authorities should be guided by their own common sense.

MR. GREGORY said, that "extraordinary" would, of course, mean something beyond the "ordinary" expenses incurred in repairing the highway, by reason of the damage caused by extraordinary traffic.

Amendment, by leave, *withdrawn.*

SIR BALDWYN LEIGHTON moved, in page 6, line 35, after "highway," to insert the words "or main road"—incurred by such authority in repairing such highway or main road.

MR. SCLATER-BOOTH thought the Amendment unnecessary. Highway meant a main road.

Amendment, by leave, *withdrawn.*

SIR BALDWYN LEIGHTON moved, in page 6, line 36, after "caused by," to insert "excessive weight passing along the same or by." The same words were in the Scotch Bill, and he trusted the right hon. Gentleman would consent to their insertion now.

MR. SCLATER-BOOTH said, that the same objection was applicable to this Amendment as to the word "extraordinary." If extraordinary traffic caused the damage, it must be by excessive weight. The words "extraordinary damage" required no further explanation. He would consider whether the words proposed should be inserted in the clause.

MR. PAGET would like to ask if the right hon. Gentleman intended to define "extraordinary" in the sense of excessive weight, excessive traffic, or traffic from pits, quarries, or any particular industry which must necessarily give rise to considerable traffic?

MR. SCLATER-BOOTH said, that the meaning of the word "extraordinary" would be properly considered when they came to it.

MR. KNOWLES did not see how they could schedule the words "extraordinary traffic" in the Bill. The carriage of materials for the erection of farm buildings, cottages, and the like, would be ordinary traffic. Where there were large works—such as the construction of cotton-mills—it might be taken as extraordinary traffic. However, the local authorities must use their own common sense in the matter.

Amendment *agreed to.*

MR. SEVERNE moved, in page 6, line 37, after "works," to insert "the working of traffic from mines, quarries, pits." There were several cases in his own neighbourhood in which it would be difficult to define between ordinary and extraordinary traffic. What they wanted to provide against was extraordinary traffic between a mine and a railway, which caused dreadful damage to the roads, and which by no means could be paid for by the imposition of a toll. Traction engines did not in any way contribute to the funds of a district over which they passed. At all events, some means should be devised for providing against such extraordinary traffic.

MR. STANSFELD said, that the clause, as it stood, referred to extraordinary traffic, although the works mentioned therein might only be considered as ordinary traffic—"building operations, construction of works, or other exceptional causes." He took it that the words "exceptional causes" would be governed by the preceding words, "building operations," and that might be held to refer to extraordinary traffic. If so, he thought the Amendment should not be accepted.

MR. A. H. BROWN objected to the words proposed being inserted in the Bill. There might be extraordinary traffic in one part of a county and ordinary in another—a difference in agricultural and mining districts. It might be ordinary traffic in an agricultural, and extraordinary in a mining district. He therefore hoped that the Amendment would not be pressed. The authorities who had jurisdiction in the matter must be trusted to use their common sense, guided by the light of their experience.

LORD GEORGE CAVENDISH thought it desirable that some such words should be inserted. In his district, nothing damaged the roads so much as the carriage of heavy stones from the quarries. He was informed that in his neighbourhood these quarries caused damage to the roads to the extent of £200 a-year. There were other works of a similar character contiguous, and immense traffic was carried on between them and the railway stations. It was important, therefore, that some steps should be taken to make the heavy stone traffic pay its fair proportion to the repair of the roads.

MR. KNOWLES said, that the words proposed might act pretty well in a district such as the noble Lord represented; but he believed they would create a great deal of confusion in mining districts. It would be said that the traffic was extraordinary, and differences of opinion might exist. The words inserted would be dangerous. Where there were quarries such as the noble Lord described, the word "extraordinary" might follow; but in a mining district a different state of things might prevail.

MR. CLARE READ thought the word "extraordinary" pointed to something very temporary in the clause. The clause referred to building operations, which certainly did not go on for ever. Those were exceptional causes, and he thought the word "excessive" would meet the case.

MR. SCLATER-BOOTH said, that the question was not a simple one. There was a provision in the County Bill for dealing with traffic of the kind through the agency of the turnpike system. If persons owning quarries, mines, and pits, and whose works actually tended towards the destruction of the roads, could be placed under some contribution, it might work very well in some parishes; but in other parishes a different state of things might exist. He would not object to the insertion of the words, but would rather consider them on the Report. The worst cases that had been laid before him were cases in which the roads had been destroyed by the construction of great buildings, and the carriage of minerals and stone.

Mr. RYLANDS considered it would be a great injustice to deprive the owners of mines of the facilities which they had for years enjoyed. It would be great injustice to place a new charge upon property of that kind, for in no sense could it be justified by the circumstances of the case. Of course, if there were any exceptional traffic, or traffic of an extraordinary nature, arising out of extraordinary circumstances, it would be perfectly right that it should be recognized in the provisions of the Bill, and the parties should be charged for it who took it over the roads. But if the House were going to upset arrangements which had existed for years, they would be introducing a principle of a novel character, and not at all a satisfactory one. Litigation and annoyance would arise in consequence, for it would be impossible to draw any distinct line. He protested against the way in which the Bill had been altered, first on one principle and then on another.

Mr. BEACH said, that great damage was undoubtedly done to the roads by the carriage of heavy traffic, and some provision was needed to meet the expense. It was only fair and reasonable that those who caused the damage should contribute some proportion of the cost of repairing it.

Sir JULIAN GOLDSMID thought a good deal of the objection arose from the word "exceptional" in the clause. Some such addition as "any other exceptional cause whatsoever" might be advantageously made. It would then be of a general character, and would not be confined to the class of subjects to which they had referred.

Mr. FLOYER said, that if it was intended to provide for occasional traffic the nature of such traffic should be clearly defined in the Bill. It was a very considerable power which was proposed to be given to the auditor, a power to decide whether an outlay was proper or not.

Mr. STANSFELD said, he had not yet received an answer to the question he had asked, whether the words "extraordinary traffic" in the clause meant "extraordinary and temporary traffic?" He understood, however, that the right hon. Gentleman meant that the traffic should be extraordinary and temporary, and if that was so, he had made a mistake in accepting the Amendment which he had, because that extended the clause in a manner which was likely to cause much inconvenience and litigation. As far, therefore, as he could at present see, he should have not only to vote against the Amendment, but against the clause itself. The point which had been raised was a very serious one, and the power which was going to be given was very exceptional and extraordinary. He had not hitherto opposed it, because he knew the necessity of something being done; and he would not now oppose it, provided they confined the matter to cases of an exceptional character. It was not, however, within the true principles of legislation that they should confer this great power on the surveyor and the justices of the peace unless the case could not be otherwise met.

Mr. PAGET hoped the right hon. Gentleman would not give way. This Amendment was one of the most valuable portions of the Bill. No doubt, as originally laid down, the cases of extraordinary traffic were confined to those which were of an entirely temporary character; and it was perfectly true that the Amendment introduced a distinct and different principle, which would make habitual and incessant traffic extraordinary traffic. It was only right and fair this should be done; because he knew many cases where roads were ruined and enormous expenses incurred by such traffic. The clause, as amended, would only maintain the old principle, that those who used the roads should pay for them. It would have to be established to the satisfaction of the county authorities, upon the certificate of the surveyor, that the traffic had been extraordinary.

Mr. BRISTOWE said, any hon. Member reading the Bill, as it originally stood, must have come to the conclusion that the Government meant that the extraordinary traffic referred to in this section should be confined to traffic of a temporary character. He had no objection to the clause as it stood, especially as the person against whom the order was made would have the power of appeal against the county authority. When the hon. Member opposite talked of mines, quarries, and pits destroying the roads, he should have remembered that mines, quarries, and pits brought in people who contributed to the expenses, by increasing the number of persons liable to be rated for the repairs of the roads.

MR. J. R. YORKE hoped the Government would not yield to the Amendment, because its adoption would only create confusion.

SIR WILLIAM HARCOURT said, they would entirely alter the clause if they inserted the words of the Amendment. Some hon. Members appeared to think that all agricultural traffic was ordinary, while any traffic which did not belong to the farmers was extraordinary traffic; and they got hold of mines, pits, and quarries, and proposed that they should be mulcted. After all, farmers had heavy traffic as well as the owners of pits and quarries; and a farmer who farmed agricultural land might require to use the road a great deal more than the man who had a farm of grass land. "Extraordinary" was said to mean that one man had more traffic than another; but how were they to define that? It was difficult to stop at mines, pits, and quarries. Take the case of a great brewer, who sent his vans all over the country with loads quite as heavy as those of any pitmen. Were they going to treat the traffic of the brewer as extraordinary and exceptional? It was most unfair to say to a mining district that the traffic from their pits and quarries was extraordinary, when it was really only ordinary traffic. Why they should pick out the mining districts of Lancashire and Yorkshire, and say their traffic was extraordinary, while the traffic of the farmer was only to be looked upon as ordinary, passed his comprehension.

MR. PELL thought, when a change was being made in the law, a concession of this kind might be made to those who used the roads but little, but who paid largely to them.

SIR JULIAN GOLDSMID said, that in the recent discussion on the Roads and Bridges (Scotland) Bill the same difficulty arose as to defining what was extraordinary traffic, and it was there found that something must be left to the discretion of the local authorities. He would, therefore, suggest that they should adopt the words of the Scotch Bill, and that this clause should be made to read—

> "Where extraordinary expenses have been incurred by such authority in repairing such highway by reason of the damage caused by extraordinary traffic thereon, such authority may recover in summary manner."

If this suggestion were approved, they would have no difficulty in defining whether the extraordinary damage arose from a pit or mine, or any other cause. This would be a simple solution of the point; and if the hon. Gentleman would withdraw his Amendment, he would move the one he had just suggested.

MR. SCLATER-BOOTH said, it was quite evident, from the number of Amendments which had been put on the Paper on this subject, a great deal of interest was felt in the question, and that some means should be provided in regard to excessive and outrageous damage to roads. He did not go so far as to say that those who used the roads had alone an interest in them. The ratepayers, as a body, were interested in good roads in their locality, and it was quite a fallacy to say that the old turnpike system was instituted for the purpose of making those who used the roads alone pay for them. He thought they might trust the Scotch Members to have made the alteration which they had done in their Bill after great consideration; and, for his part, he should be willing for the clause to be amended in some such way as that which had just been suggested.

MR. PAGET hoped the insiduous Amendment which had been suggested would not be agreed to, because there were antecedent words in the Scotch Bill which gave the word "extraordinary" a different meaning to that which it would have in this Bill. If the whole of the Scotch clause was embodied in the English Bill, it might, perhaps, answer the object in view—not otherwise.

MR. D. DAVIES considered that, in a matter of this kind, they must give and take a little, because it was very difficult to make a law which would suit everybody. Some hon. Members seemed to think that the proprietors of large mineral works and quarries abused the roads; but that was not so. He had had to pay large sums for roads in which he had no interest whatever, and which he never used, because he had made his own roads. He had no objection to the clause as it stood, and he thought there should be a right of appeal. It would be a great hardship to put the Amendment into the clause; because it might have the effect of stopping these kinds of works, the profits from which were not at present very large.

MR. KNOWLES wished to point out that there was a great deal of difference between permanent and temporary traffic. What was ordinary traffic in one part of the country was extraordinary in other places. When a new waterworks or railway came into a neighbourhood they used the roads largely, and they left them in a bad state of repair. That would come under extraordinary traffic, and he thought the clause was sufficient to meet it. But where new mines were opened the traffic was no longer extraordinary, but ordinary, when the works of construction were completed, and the regular business was being carried on. The Amendment would be very dangerous, indeed, because under it they would be able to rate mines and quarries in an extraordinary manner.

MR. DODSON confessed he did not very much like the clause as it stood, and every Amendment hitherto proposed seemed to make it worse than it was. The first thing they must be perfectly clear on was this—Did they, in any way, mean in the words extraordinary and exceptional to include traffic of a permanent character? He entirely objected to any traffic of a permanent character being included under those words, because it would open the door to any amount of jobbery. He saw no reason why it should be left to the discretion—the summary jurisdiction, in fact—of one man to determine what was and what was not exceptional and extraordinary traffic, and what, therefore, ought to pay a specially high rate. If any provision of this sort was to be introduced at all, it ought to be strictly confined to exceptional and extraordinary traffic in the sense of temporary traffic. To adopt the Amendment would be to depart from this principle; because in districts where quarrying and mining operations were carried on, the traffic to and from the quarries and pits would be part of the ordinary and regular traffic of the district. His hon. Friend the Member for South Leicestershire (Mr. Pell) had laid down the principle that in fixing the rates regard should be had to the amount a man contributed to the rates, and to the quantity of traffic he put upon the roads. This was much too vague and fine a distinction to be satisfactorily made. If a man was to be charged an exceptionally high rate who carried stones, or flints, or iron, over the roads, what was to be said to the man who carried timber? To make rules of this kind would lead to endless litigation; more money would be spent in law than would be saved in rates, and any number of conflicting decisions would be given in different parts of the country. He would rather not have this clause at all; but if it must be adopted, it should be adopted in such a form as that it would be expressly limited to such extraordinary traffic as was purely temporary. He should, therefore, suggest that the Amendment before the Committee be negatived, and that in line 37, after the word "exceptional," the words "and temporary" be inserted. Subject to some such Amendment, he might be induced to agree to the clause; otherwise, he should certainly oppose it.

MR. CLARE READ said, the speech of the right hon. Gentleman meant that if an evil were temporary it must be paid for; but if it was permanent, the person or persons responsible were to get off scot-free. This was a line of argument which he could not understand. As a member of the Turnpike Acts Continuance Committee, he might say that they had frequently continued trusts on account of this "extraordinary" traffic from mines, quarries, and other works, the owners of which, in the absence of turnpikes, would contribute very little to the maintenance of the roads. He therefore hoped the Committee would adopt the sense, if not the words, of the proposal.

MR. DILLWYN said, it seemed to him that the hon. Members for Gloucestershire (Mr. J. R. Yorke) and Mid-Somersetshire (Mr. Paget) had lost sight of the main object of the Bill, which was not that the persons using the roads should pay for them, but that they should be paid for by those who derived benefit from their use. The ratepayers in a district were more largely benefited by excessive traffic than were those by whom the traffic was created. In the county from which he came there were extensive collieries and other works, and the ratepayers gladly paid for the maintenance of the roads, being amply compensated by the existence of large industries in their midst. He, therefore, hoped they would proceed on the principle which he had described, and not adopt that which had been suggested by the hon. Member.

MR. SEVERNE, in asking leave to withdraw his Amendment, said, his objection was to any limitation of the word "extraordinary" in reference to traffic by any special definition. He therefore thought the working of the clause would be greatly assisted by the Amendments of the hon. Members for Gloucestershire (Mr. J. R. Yorke) and Mid-Somersetshire. The right hon. Gentleman the Member for Halifax (Mr. Stansfeld) had expressed his willingness to deal with exceptional cases; but he had made no practical suggestions to that end. To throw the whole of these burdens upon the ratepayers would be to saddle them with a very heavy responsibility, and he did not think it would be fair to do this. If any Minister was to propose an income tax of 1*s.* or 2*s.* in the pound, there would be a great outcry in the country about it; but to put these dues upon the ratepayers was, practically, to do something of the kind.

MR. STANSFELD said, the hon. Member was wrong in supposing that though he objected to the Amendment he had suggested any other means of dealing with the question. At the same time, he might say that, in his opinion, the 20th clause of the Bill was very much to the point. That would protect the ratepayers against excessive damage, which did not result from fair wear and tear, but from the roads in hilly districts being torn up by the scorched wheels of waggons carrying heavy loads down hills. It was to meet cases of this kind that the clause in question was put into the Bill, and he thought this was all that needed to be done.

MR. GOLDNEY thought that the ratepayers in any locality had a right to compensation for exceptional and temporary damage done to the roads by reason of the construction of works, the building of houses, or any other cause from which such damage might result. But if a clause was put into the Bill defining only certain kinds of damage as exceptional, it would lead to no end of litigation, and would put no limit to the favouritism which might be practised by those who had charge of the roads. He thought the case would be met by adding the word "temporary" after "exceptional" in the clause.

MR. HUSSEY VIVIAN thought endless difficulty would be occasioned by making the clause apply to other than "temporary" obstruction of the roads. He would, therefore, urge the propriety of allowing the clause to pass in its original form. There must, in a matter of this kind, be a little give and take. There were, within his own knowledge, heavily-rated collieries which did not use the public roads at all, but carried their produce by railways, which they themselves had constructed and maintained at much cost. In illustration of what he had called the give and take-principle, he might mention the case of a proprietor of woodlands, who for many years had paid rates for the maintenance of roads without using them. Suppose such a man had a heavy fall of timber on his estate, and had to send it along the roads, would it be fair to call upon him to pay for the temporary and exceptional damage, when he had during the whole time the trees were growing paid rates towards the cost of the roads without using them?

MR. SCLATER-BOOTH said, he quite agreed that the clause ought not to be diverted from its original intention, so far as to convert an extraordinary into an ordinary traffic; but he thought the use of the word "extraordinary" in the clause would protect alike the ratepayers and those who used the roads. He repudiated the notion of specially taxing any particular trades, and suggested that the Amendment should be withdrawn, promising on the Report to bring up words which would embody the spirit of the Amendment which had been proposed.

Amendment, by leave, *withdrawn.*

SIR JULIAN GOLDSMID moved, in page 6, line 36, to leave out all the words after the word "thereon," down to the word "cause," in line 38, inclusive.

SIR WILLIAM HARCOURT said, it would be much better to omit the whole clause, as the right hon. Gentleman had promised to amend it, and to bring up a new clause at a later period.

Mr. SCLATER-BOOTH said, he had no objection to that; but he thought the proper course would be to pass the clause as it stood, and then he would undertake to amend it.

Mr. RYLANDS entirely objected to the proposal that the clause relating to extraordinary traffic should be adopted from the Scotch Bill, inasmuch as the latter was drawn upon lines entirely different to those of the English Bill, and did not, moreover, levy the rates on property in the same incidence. The Scotch Bill, which should be looked upon as totally distinct, expressly excluded from its operation all places of above 5,000 inhabitants. ["No, no!"]

Mr. KNOWLES asked if the hon. Member for Burnley was in Order in criticizing the provisions of the Roads and Bridges (Scotland) Bill?

The CHAIRMAN said, the hon. Member was out of Order in discussing the provisions of a Bill other than that before the Committee.

Mr. RYLANDS said, his intention was to compare the two Bills, and to point out to the Committee that under the Scotch Bill large trading and manufacturing places, and towns of upwards of 5,000 inhabitants, were absolutely exempt from the rate. He thought the clause should be withdrawn. With regard to the proposal of the right hon. Member for Chester (Mr. Dodson), he ventured to suggest that the Committee should allow the right hon. Gentleman (Mr. Sclater-Booth) to negative the clause and bring up a fresh one, to be discussed as an Amendment in Committee, an arrangement which, he thought, would be better than a discussion on the Report.

Amendment, by leave, *withdrawn.*

Mr. SCLATER-BOOTH said, he would withdraw the clause, and bring the matter, subsequently, before the Committee. He thought the Scotch clause which, with the addition of certain words, was originally taken out of the present Bill, would be found, on the whole, more nearly to convey the opinion that the extraordinary traffic contemplated should be occasional and temporary; while, by the present clause, the limits as to building or occasional use of the roads were too narrow, and might be extended without departing from the intention of the Bill.

Sir JULIAN GOLDSMID wished to submit to the consideration of the right hon. Gentleman the desirability of introducing an arbitration clause, which should apply to cases of extraordinary damage. This suggestion had been made to him by many persons, and was, in his opinion, of considerable value.

Clause, by leave, *withdrawn.*

Discontinuance of Unnecessary Highways.

Clause 19 (Unnecessary highways may be declared not repairable at the public expense).

Mr. LEIGHTON, in moving to leave out from the word "that," in page 7, line 11, to the end of the clause, and to insert the words—

> "Such highway is unnecessary for public use, such authority may place notices at both ends of the said highway declaring the same to be unnecessary. The said notices shall remain for six months, during which time any person may appeal to the court of quarter sessions against the said declaration. If there be no appeal, or if the appeal be dismissed, then, at the end of the aforesaid period, the expenses of repairing such highway shall cease to be defrayed out of any public rate. Notice of appeal shall be given to the clerk of the highway board within reasonable time,"

said, that his reason for placing that Amendment on the Paper was that the mode of dealing with useless highways was found not to work well. It was necessary to ensure to the public proper notice of any intended change in the maintenance of highways supposed to be useless. And it was also necessary to afford sufficient facilities to the Board or authority who had charge of the highways to enable them to act. He believed that the clause which he had put on the Paper would undoubtedly meet these requirements. Under the existing law, notices and advertisements had to be inserted in the county papers, and a number of technical formalities complied with; but, besides the heavy cost of these, persons who used the roads were not likely to read advertisements, and the consequence was that the notices were practically of no use. He believed the clause would sufficiently guard the public against the shutting up of roads which ought to be maintained.

The CHAIRMAN said, he must point out to the hon. Member, that the Amendment which he proposed to move was, in effect, a new clause, and that there was another Amendment on the clause to be proposed by the hon. and learned Member for Leeds (Mr. Wheelhouse) which, under such circumstances, should be first considered.

MR. LEIGHTON said, he would, then, move to leave out all the words of the clause.

MR. SCLATER-BOOTH pointed out that there were many pit-falls in the words of the Amendment of the hon. Member, that would render it unacceptable to the Committee. He, therefore, hoped it would be withdrawn.

Amendment, by leave, *withdrawn*.

MR. PAGET remarked, that the Roads and Bridges (Scotland) Bill provided that when a road had been proved to be unnecessary as a public highway, its use might be discontinued and the road itself shut up. It was, in his opinion, desirable that the present Bill should make a similar provision for the shutting up of those roads in England which were also proved to be unnecessary as public highways; inasmuch as by continued use, after the means of maintaining them were taken away, they would become so many "Sloughs of Despond," and the sources of much danger and inconvenience. It was his intention to bring up a clause on the Report, providing for the shutting up, with the consent of the Highway Board, of certain roads proved to be unnecessary for the public use, if it were decided that they should not be repaired at the public expense. He did not wish to retard the progress of the Bill; but he should also have to deal with the shutting up of footpaths at the same time, by a clause providing that "no footpath should be entirely closed without the consent of the Highway Board." He believed there were many cases of footpaths being shut up solely by the influence of the vestry; which meant, perhaps, the action of a single squire and a few people living around him.

MR. HARDCASTLE thought that the first part of the Amendment of the hon. Member for Shropshire (Mr. Leighton) was extremely reasonable; and although the hon. Gentleman had withdrawn his Amendment, he proposed, in page 8, line 4, after the word "affixed," to add the words—

"And by placing notices at both ends of the said highway, declaring the same to be unnecessary."

THE CHAIRMAN pointed out to the hon. Member that it was not competent to him to move that Amendment.

MR. KNIGHT said, that a great evil would be created by giving to courts of petty sessions the power of shutting up a road. In his opinion, the closing of a road should not take place until the court of quarter sessions had decided that it should be shut up.

Clause *agreed to*.

Bye-laws by County Authority.

Clause 20 (Power of county authority to make bye-laws).

MR. SCLATER-BOOTH moved, in page 8, lines 29 and 30, to leave out "their jurisdiction," and insert "any highway area in their county."

Amendment *agreed to*.

MR. PELL said that the sub-section 1, to which his Amendment related, empowered the county authorities to make certain bye-laws, among them that of prohibiting from the use of the roads waggons having wheels the width and number of which they did not approve, and which were not proportioned to the weight carried by the waggon. If that sub-section became law, great inconvenience would result. Under the system of tolls, everybody had fair warning, and if a person transgressed the law he could be amerced on the spot by the cart and load being placed on the weighbridge, and the driver being made to pay the extra toll. Under the present section of the clause, if it became law, one county authority might say that a waggon should carry only three tons, whilst the authority of another county could fix the weight to be carried at four tons. The consequence would be that in passing through different counties one's waggon, horse, and man, might be taken nobody knew where, perhaps to the county town, put upon weigh-bridges, and then sent home. The proper way to meet the question of weight and the size of wheels was to make the roads themselves fit to carry them; and the best roads throughout the country, as well as the London roads, afforded a proof that this would be quite practicable. He was inclined to think that the operation of the sub-section would be extremely inconvenient, and would have the effect of rather encouraging the county authorities to sanction the public roads being left in a bad state.

Amendment proposed, in page 8, line 31, to leave out from the word "say," to the word "and," in line 37.—(*Mr. Pell.*)

Mr. SCLATER-BOOTH could not accept the Amendment. The sub-section which gave to the county authority, power to make bye-laws, had been deliberately inserted, because this power had always been possessed by the turnpike trustees. It was necessary that some authority should exercise the power to determine what weights should be allowed on the roads; and if that had not been left to the local authorities, the Government would have been charged with attempting to carry out a system of centralization. The object of the bye-laws was that the local authorities should form their own opinions as to what was reasonable; but he might remark that they would not become operative until they had been sanctioned by the Local Government Board.

Mr. DODSON confessed that the reference made by his right hon. Friend (Mr. Sclater-Booth) to the 28th clause of the Bill, under which it appeared that the byelaws were not tobe of any validity until they had been submitted to and confirmed by the Local Government Board, went a long way to remove his objection to the sub-section. He, however, desired to know what was to become of the man who happened to live on the borders of two counties? He presumed that this difficulty would be adjusted.

Sir HARCOURT JOHNSTONE thought the restriction as to weight was unnecessary. Exactly the same argument was used with regard to the railways, when it was said that "if you put heavy engines on the roads you will never be able to carry them." If the hon. Member for South Leicestershire (Mr. Pell) chose to divide on this sub-section, which he (Sir Harcourt Johnstone) considered to press harshly on all who used the roads for the purpose of traffic, he should be happy to go with him into the Lobby.

Mr. Pell

Mr. RYLANDS hoped that the right hon. Gentleman (Mr. Sclater-Booth) would take care that the road authorities had no power to make bye-laws of an absurd character.

Question put, "That the words 'For prohibiting the use of any waggon' stand part of the Clause."

The Committee *divided*:—Ayes 163, Noes 50; Majority 113.—(Div. List No. 197.)

Mr. COOPE (for Mr. Ritchie) moved, in page 8, at end of sub-section 1, to add—

"No bye-law made under this sub-section shall apply to any existing waggon or other carriage, or the wheels thereof, or to any which may be built within one year after the passing of this Act."

He considered that this exemption should be afforded to owners of waggons and carriages at the present time, and to those who had had vehicles commenced during the last 12 months.

Mr. SCLATER-BOOTH could not accept the Amendment. Had his hon. Friend desired it, he should have voted in favour of the previous Amendment. He did not know whether he did or not, but he could not accept the Amendment.

Amendment *negatived.*

Sir GEORGE JENKINSON moved, in page 9, after line 9, to insert—

"(5.) For prohibiting the felling of any timber or trees upon, or alongside, or across any highway;

"(6.) For prohibiting the use of any bicycle on any highway unless the rider of such bicycle shall be provided with, and shall use, a loud bell and whistle or other effectual means of giving audible notice of his approach on meeting or passing any vehicle or any person on horseback;

"(7.) For prohibiting the breaking of stones by the roadside unless an effectual guard be used to prevent the small broken stones flying out to the danger of persons or horses being struck in passing;

"(8.) For compelling the owners or occupiers of land adjoining land at side of highways to clean and keep open the ditches at side of road."

The CHAIRMAN said, the Amendments could be taken separately if the hon. Baronet wished.

Mr. SCLATER-BOOTH said, he could not accept all the Amendments of the hon. Baronet.

Mr. DODSON could not see why timber should not be felled on the side of the highway.

SIR JULIAN GOLDSMID said, he had seen roads on which it would be impossible to cut down trees, except by throwing them across the highway. But the clause, as suggested, was unnecessary, as if an unreasonable obstruction was occasioned, the person causing it was liable at common law.

It being ten minutes before Seven of the clock, Committee report Progress; to sit again upon *Tuesday* next, at Two of the clock.

The Sitting was suspended at ten minutes to Seven of the clock.

The House resumed its Sitting at Nine of the clock.

ORDERS OF THE DAY.

SUPPLY.—COMMITTEE.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

RITUALISM.—RESOLUTIONS.

MR. E. JENKINS, in rising to move the following Resolutions:—

"1. That an humble Address be presented to Her Majesty, praying that She will be graciously pleased to appoint a Royal Commission to inquire as to the teaching and practice by Clergy of the Church of England of Doctrines and Ceremonies not authorised by Law, or contrary to the Laws and usages of the Church as by Law established.

"2. That Her Majesty would be pleased to direct that such Commission to inquire, in particular, as to the extent to which Doctrines or Ceremonies of the Roman Catholic Church are taught or practised by Clergy of the Church of England which are unauthorised by, or contrary to, the standards and usages of the Church, as declared by Acts of Parliament, the Book of Common Prayer, the Rubric, the Articles of Religion, or other legal or ecclesiastical authority, or which may be inconsistent with the teaching or usage of the Church since the Act of Uniformity in 1662.

"3. That Her Majesty would be pleased to direct that inquiry be made into the formation of fraternities, sisterhoods, guilds, or other religious institutions of a monastic or conventual character, whereof Bishops or Clergy of the Church are members or patrons, or associates or spiritual advisers; and as to the nature of the vows assumed by the members of such associations, and of the doctrines, devotions, and ceremonies taught or practised in connection with them.

"4. That Her Majesty would be pleased to direct that such Commission do inquire as to the existence among the Clergy of the Church of any persons or party teaching and avowing in the pulpits of the Church, or through the press, that the reformation of religion was an evil, and that their aim and intention is to restore the relations to the Church of Rome which existed prior to the establishment of the Reformed Church of England.

"5. That Her Majesty would be graciously pleased, in the constitution of the said Commission, to have regard, according to the ancient precedents of similar Commissions, to an adequate representation of the laity as well as of the highest authorities of the Church in spiritual and ecclesiastical matters,"

said *: Sir, the various Services of the State are established, organized, and conducted upon a fixed principle. That principle is one of absolute subservience to order, and of strict obedience and subordination on the part of inferiors to superiors. In the Army, the Navy, the Diplomatic, Colonial, and Civil Services, this is the universal rule; and, indeed, this is an essential condition of every institution which is established in connection with a free State. I say in connection with a free State, because it is quite conceivable that, under an autocratic Government, the autocrat might establish an institution, to which he would grant the power of conducting its affairs without any interference on the part of the legislative or administrative authority. But I say that, in regard to a free State, it is impossible to conceive of any institution, called a State institution, which would not be subject to the principle I have laid down. In such a Government, the same rule must affect the Prince, the Peer, and the policeman. An *Imperium in Imperio* is an idea, at all events in this country, since the establishment of free government, which was left behind in the Middle Ages. I begin in this way for the purpose of saying that the Church of England is not exempt from this rule. If so, it were an impossible contract which bound that Church to a free State. It does not need much thought to establish the proposition that an Army maintained by Government could not remain entirely independent of the orders of the Government, or that its officers could not be allowed among themselves to make any regulations and create any discipline which they might deem to be necessary for their comfort, and not simply for carrying out more effectually the objects aimed at by the State in its formation. Nor can we conceive that in the Civil Service a number of Civil servants could be allowed to make their own regulations, to establish their own discipline, and to determine by what rules they would be governed. Now, I would ask the House whether there is anything in the constitution of the State Church which frees it from the necessary conditions of a State service? I am about to-night to pray for a Commission to inquire into the manner in which those whom the right hon. Gentleman the Member for Bradford (Mr. W. E. Forster) calls "State servants" discharge their duties. Is it, or is it not, in conformity with the regulations and prescriptions of the State? or is there a defiance, a continual disregard, of those regulations and prescriptions? Are doctrines taught, are practices prevailing, are secret associations in operation at this moment, which are irreconcilable with the principles of the Protestant Reformation, upon which the Church was established? With regard to the Resolutions which I propose to lay before the House—and technically the first one only is before the House—I apprehend that no one here would be disposed to object to the first branch of the inquiry, which relates simply to the extent to which illegal practices are being carried on in the Church of England. The Church of England is a creature of State establishment, regulation, and control. The compact between the State and the Church is not a compact of co-equal powers. The State may examine whether the Clergy are carrying out the objects for which the Church was established. The State may order the Church to adopt new regulations, and to teach entirely new doctrines. The State may revise the Church's constitution, its canons, its rules, its articles of faith, its rubrics. The State may dismiss all its clerical servants and substitute others totally new, and teaching ideas wholly the reverse of those held by the present tenants. The State has, in effect, exerted her authority in all these respects at various periods of its history. Some hon. Member may say that the result of such large alterations as these would be to create a new Church in relation to the State. That is true in a spiritual sense—that is to say, from the point of view of the existing Church—but it is not correct from a legal and constitutional point of view. Undoubtedly, the State Church, as proved by its history and multitude of Acts of Parliament which still remain on our Statute Books, is liable to constant alteration and revision. It is liable to be brought, from time to time, more strictly into conformity with the views of the majority of the people of this country. I shall await with curiosity, but without misgiving, any arguments which may be advanced by any hon. Member of this House to disprove that theory of the Church's status in England. Whoever proposes to do that will have to dispose of a long series of enactments, from the Act of Submission of the Clergy, 25 *Henry* VIII., down to the Public Worship Regulation Act, which was passed only a few Sessions since by this very Parliament. When the State established the Church it defined its dogmas, ceremonies, and authority. It did something more than that—it excluded other doctrines, dogmas, and ceremonies of a peculiar character, well known, well defined, and protested against by a vast majority of the people of England. On what possible grounds, then, in a Church so set up—in a Church, the doctrines and dogmas of which are so carefully defined, both in inclusion as well as exclusion—could its Clergy assume that they are entitled at any future period of its history to alter its doctrines, change its ceremonies, and to bring it back again to the adoption and practice of those things which were definitely excluded? I am sure I need not further argue this point in this very House which has passed the Public Worship Regulation Act. Taken for granted, then, what I have attempted in a few words to describe, the only question that now arises for the consideration of the House is, whether it is expedient that the inquiry which I ask for should be pursued? I am sure hon. Members, to whatever Church they may belong, will forgive me for saying that this House has a peculiar traditionary interest in the question which is raised to-night. The House of Commons bore no small, no unimportant, part in the Reformation. It was chiefly owing to its vigour and zeal that the full benefits of the political, and spiritual, and intellectual emancipation, called "the Reformation," was secured to this

Kingdom; and the people will ever look to this House as the truest, surest, and most powerful guardian of the Protestant liberties of this great Empire. If, then, I prove—as I shall be able to prove presently—that there exists in this Church a party, organized, indefatigable, increasing in numbers and in influence, and consisting, in a great degree, of the Clergy whom, as I said just now, the right hon. Gentleman the Member for Bradford called the "servants of the State," opposed to the ideas of the Reformation, surely it is time for this House to wake up, and to ask whether this defiance of law, this conspiracy against modern ideas, this attempt to restore to the 19th century the evils, the doctrines, the practices, and the ceremonies of the Middle Ages, shall be allowed to go on under the cover of State authority, and within the State service? I could have wished that this subject had fallen into other hands. I know there are hon. Members opposite who would rather it had been taken up by some consistent Churchman and defender of the Constitution. But, although it may be true that I am not a member of the Church of England, I am, at least, an inheritor of the blessings and privileges of the Reformation. Moreover, I am a Member of this House, to which has, I consider, been confided the duty of watching over those great principles which were established by the combined efforts of the Crown and Parliament in the time of Henry VIII., of Edward VI., and of Elizabeth, and of not suffering them to be subverted by treachery, or by a conspiracy, which seeks to bring back doctrines and practices so long ago repudiated. I have already said that the Church is a State institution, authorized and established by Act of Parliament. By Act of Parliament the Queen is its Head. By Act of Parliament its liturgy, its rubric, its creeds, its articles, its services, its ordination of Bishops, priests, and deacons, were instituted and re-organized. By Act of Parliament, and the subsequent mind and practice of the Church, it was established as a Protestant Church. In proof of this last position, I need only point to the attitude of Rome towards the Church of England on the one hand, and the attitude of the Church of England towards Rome on the other. But there is another point in connection with the establishment of this Church which I think every Member who has studied history will be prepared to admit. It is this. It was not only a national deliverance from external restraint in matters of religion, it had also an important internal aspect, as much of the legislation of Henry VIII. will show. It was the freeing of the nation from the chain, the fetters, and the rivets of sacerdotalism. All those ingenious theories, by which the priest is elevated to the dignity of the mediator, or the director and controller of men, were set aside by the Reformation. My hon. Friends who are members of the Roman Catholic Church will understand that, in speaking in this way, I am not actuated by any desire to attack any peculiar doctrines of their Church. They must understand that I am in an extremely delicate position. I have to prove that these doctrines were repudiated at the Reformation by the people of England, and that it is not legal to teach them at the present time in the Church of England. Therefore, they will understand that I do not for one moment wish to say a word of an offensive character; and if it were not that I am obliged to define the doctrines for the purpose of proving my case, I should not venture to touch upon them. Now, I say the formularies and theology of the Church of England prove that she was meant to be established on a foundation which excluded the idea of the authority, the power, and the influence of the priest, as a priest. One has only to refer to the Prayer Book, the Articles of Religion, and the Homilies, to see how consistently throughout the idea of the priest was excluded, and how entirely the priest—or, as he may be more simply named, the presbyter—was regarded as the mere minister of the Church. It is true that this Establishment did not exclude, as has been pointed out by the right hon. Gentleman the Member for Greenwich (Mr. Gladstone), in his essay on Church and State, Catholic consent; but Catholic consent, as everyone will see, is a very different thing from the doctrine of an infallible authority, reposing in a traditional succession, with a sacrificial priesthood and schedule of sacraments, all of which invest that priesthood with supernatural authority and powers. Sir, I find a very admirable statement of the distinctive character of the

Anglican and Roman Churches in the book to which I have already referred, and which I now quote, for the purpose of showing what was the view taken by a Member of this House, who belongs, I believe, to a school in the Church which is very much in favour of Catholic authority—I mean, the right hon. Gentleman the Member for Greenwich, whom I am sorry not to see in his place. He says—*The State in its Relations with the Church*, chap. v. secs. 13, 14, 20. Ed. 1839—

> "Much of what most essentially constitutes our life in the sight of God can never be otherwise than very imperfectly explained through the medium of outward signs, and must, therefore, remain for the most part between Him and ourselves.
>
> "Yet it is here that the peculiar genius of Romanism is most wonderful and conspicuous. Everywhere it seems to interpose itself between the man and his God, a divinely transparent medium, allowing only a measured and limited quantity of His light to pierce through the curtain which it spreads. . . . And now let us review those distinctive tenets which it professed, and see whether they do not tend towards this object as their common point of union—namely, the drawing out from the mind of the individual those processes which concern his salvation, and making him extrinsically dependent on something above himself, yet below God, by removing the control of them from his own command. . . . To this would tend the crowd of mediators manfully interposed between man and the one Mediator . . . mediators who are men or angels only, and with whom we have no special relations, do but come in as substitutes, falsely proclaimed to do for us what we are bound to do for ourselves. . . . Towards the same end would operate the doctrine of purgatory. . . . In the doctrine of relics, again, we trace a similar tendency. . . . In them the Church of Rome lodges a virtue the practical effect of which is, we do not say to extinguish, but to limit, free mental action in religion. . . . But the grand exemplification of the influence of Romanism upon individual agency in religion is to be perceived in a combined view of the doctrines of supererogatory works—indulgences—auricular confession—penance—and absolution. . . . And how do the remaining doctrines (*i.e.*, auricular confession, penance, and absolution), as they are blended in the Church of Rome, bear upon that primary and most essential of all, that continual pardon which the soul requires, in order to render any acceptable sacrifices? . . . Here," he says, "the Romanists have infused a poison. . . . Men will make confession at distant intervals to a priest, discharge the acts of penance which he enjoins, and receive his absolution, and a sacramental character is given to these acts—acts none of them blameworthy, but the reverse; acts, however, taken out of their place by the Roman doctrine."

As I said just now, I read that which may give pain to some hon. Members of this House, simply for the purpose of showing what was the view at that time of the right hon. Gentleman—whose study of these subjects is known to have been somewhat profound—with regard to the distinctive peculiarities between the Anglican and Roman Churches. Well now, Sir, all that is implied in what I have just read, and a good deal more, I state here in my place to-night it is now sought to bring back in our Parliamentary Church, under our authority by our servants, and with our funds; and to do it by practice, by defiance of the law, by evasion of the law, and of the canons and the injunctions of the Bishops, by means of the Confessional, by secret societies, and by unauthorized publications. I do not intend to review the mere details of the differences between Ritualists and what is known as the Evangelical school in the Church of England—quarrels about albs, tunicles, chasubles, patens, incense pots, and the like. These are not the questions with which I would propose to occupy the time of the House, nor do I think them sufficiently important in themselves to demand a Commission of Inquiry. A Commission, whose Report I read with pain, has investigated all these details. It appears that weak-minded persons went before that Commission, and endeavoured to prove that these things had in them some deep spiritual meaning; but they are only important to this House as mere examples of the lawlessness of the clergy who are endeavouring, in the teeth of the law, and in the face of the judgments of the Courts, to introduce these "ornaments" into the Church of England. What I desire to do is, to take a far broader and more serious view of what I cannot help feeling is a very grave question; and that is, the existence within the Church of a grave and serious conspiracy, carefully organized and carried out by secret compacts, guilds, associations, and sisterhoods, against the spirit doctrine, and constitution of the Church of England as by the law of this land it stands—a Protestant Church. The central idea round which all revolves is the doctrine of the Real Presence, the body and blood offered up daily by a sacrificing priest upon an altar in the church; the discretion of the priest to give or withhold this sacrament; the discretion of this priest to absolve from sin as God's agent; the resulting influence and omnipotence of the Confessional; and the interposition between the individual soul and the Deity of a mass of ceremonies and beliefs all contributing to diminish and crush man's responsibility, and to make the Church and priesthood the only machinery of grace. It is against the effort to bring back all this into the Church of England that I am to-night protesting. We are not protesting against what is called mere Ritualism, or against the aim of those who desire, like the hon. Member for Cambridge University (Mr. Beresford Hope), a decent and even beautiful form of worship in the Church; but we are here to protest against the growth of Sacerdotalism. Now, Sir, these being the premisses, I come to the evidence of the existence of this "conspiracy," as it has been called by the Bishops. First of all, I may refer to the testimony of the Bishops themselves; and, surely, of all men they, who are brought most intimately into contact with the Clergy, must be taken to speak, not only with the highest responsibility, but with the best knowledge. I shall read some of their declarations. The Archbishops of Canterbury and York, in reply to a Memorial from 60,000 lay members of the Church of England, said—

> "There can be no doubt that the danger you apprehend of a considerable minority both of clergy and laity amongst us desiring to subvert the principles of the Reformation, is real."

Bishop Ellicott, in an address to the clergy and laity of his diocese, said—

> "It is now really the duty of every sober member of the Church of England to recognize the fact that there does exist nominally within our Church a small, but united, body of men, who are consciously engaged in what the Archbishop of our Province correctly describes as a conspiracy against the teaching and principles of the Reformation, and who retain their place and office in our Church for the express and scarcely concealed purpose of what is called Catholicising the Church of England, and of assimilating its principles and practices to those of the Church of Rome—Papal supremacy and infallibility, perhaps, alone excepted."

Bishop Fraser condemns—

> "The development of mediæval ideas—this materialistic conception of the presence of Christ in His sacraments, and the interposition of the mediation of the creature at every turn;"

and very distinctly points out whither these things are leading. There are other passages which I might read, and which, I have no doubt, are familiar to Members of this House; but I do not think it necessary to trouble them further with evidence from this source. It is, at all events, conclusive about the mind of the Bishops. I now come to the evidence derivable from those who themselves are engaged in this work, and I shall give only one or two specimens from their writings to establish my case. In the first place, I take a work, edited by Dr. F. G. Lee—*The Re-Union of Christendom.* Here, Dr. Lee says—

> "The marvel is that Roman Catholics do not see the wisdom of aiding us to the uttermost."

I am bound to say that this afternoon I met a Roman Catholic Member in the Lobby, and, asking him to come in and help to make a House, he replied that, as a Roman Catholic, he did not see why he should take part with me, because he thought the Church of England was doing the work of his communion very successfully. Now, this is the work of this body, as stated by Dr. Lee—

> "Admitting that we are but a lay body, with no pretensions to the name of a Church, we yet, in our belief—however mistaken—that we are one, are doing for England that which they [Roman Catholics] cannot do. We are teaching men that God is to be worshipped under the form of Bread, and they are learning the lesson from us which they have refused to learn from the Roman teachers who have been among us for the last 300 years. We are teaching men to endure willingly the form of Confession, which is an intense trial to the reserved Anglo-Saxon nature, and to believe that a man's 'I absolve thee,' is the voice of God. On any hypothesis we are doing their work."—[p. 180.]

In *The Church Times*—March 24th, 1872—the following passage occurs:—

> "We are contending, as our adversaries know full well, for the extirpation of Protestant opinions and practices, not merely with the Church itself, but throughout all England. What we want is, not to force a Close or a M'Neile into a Popish vestment, but to make Closes and M'Neiles as extinct as the Dodo. We do not care one solitary straw whether a man preaches in surplice, gown, or shirt-sleeves, so long as he does not preach any sort of Protestantism."

Then, again, *The Union Review* speaks in the following terms—July, 1867:—

> "In some of our most popular hymn-books the doctrine of the Immaculate Conception is most distinctly implied. We give our people the real doctrine of the Mass; the name will come of itself by-and-by. So with regard to

the worship of the Blessed Virgin; we shall only be able to establish this by slow and cautious steps. It is reasonable to hope that 20 years hence Catholicism will have so leavened our Church, that she herself, in her corporate capacity, will be able to say to Rome —'Let the hands which political force, not spiritual choice, have parted these 300 years, be once more joined.' We are one with Rome in faith, and we have a common foe to fight. . . . . The work now going on in England is an earnest and carefully organized attempt, on the part of a rapidly increasing body of priests and laymen, to bring our Church and country up to the full standard of the Catholic faith and practice, and eventually to plead for her union with Rome."—[pp. 402—412.]

Then we have the following statement made by the Rev. Dr. Littledale, at Liverpool, on April 23rd, 1868:—

"Such a set of miscreants as the leading English and Scottish Reformers. . . . . Robespierre, Danton, and Marat, merit quite as much admiration and respect as Cranmer, Ridley, and Latimer."

We find the Rev. Mr. Wilmshurst, Vicar of Woodville, Burton-on-Trent, speaking in a similar strain. He says—

"As for Protestantism, I do not know what it is. It appears to me to be a cesspool, into which all opinions contrary to the Catholic faith drain. I would rather avoid it. . . . . God defend us from Protestantism, for it is anything or nothing mixed up together."

Sir, I think these extracts sufficiently indicate the character and intention of this movement. I could occupy hours in reading extracts sent me from all parts of the country; but I think I have adequately shown the aim of this party which is now endeavouring to carry out, by means of secret societies and other organizations, and by means of the Confessional, this system of un-Protestantizing, and, as I may call it, of Romanizing the Church of England. Sir, I think it will be admitted that the effort made by the House a short time ago to grapple with the difficulty has proved extraordinarily unsuccessful. No one can doubt this who has followed with attention the suits that have been reported in the newspapers, arising out of the matters to which I am now inviting attention. I hold in my hand a Return of the various suits instituted under the Public Worship Regulation Act. They give the following results:—

"I. London, St. Vedas, Foster Lane.—Complaint by three churchwardens of 11 illegal practices, including vestments, use of wafer, mixing water with wine, elevation of paten and cup, &c. After two hearings, the proceedings were set aside by the Queen's Bench, on June 29th, 1877, on a point of form. Mr. Dale is going on as before.

"II. Rochester, St. James, Hatcham.—Representation by three parishioners of 17 illegal practices, including the above, and also processions, incense, kneeling, and prostration, Agnus Dei, sacring bells, crucifix, &c. After two hearings and decisions against Mr. Tooth, the proceedings were finally annulled in November, 1877, because the Judge heard the case at Lambeth instead of London or Westminster. In this case, the Act permits cases to be heard anywhere in the 'Province;' but in the rules and orders signed by the Archbishops, and the Lord Chancellor and other legal dignitaries, the word 'Province' was omitted. Things much as usual.

"III. Salisbury, Donhead, St. Andrew's.—Complaints of illegal practices, seven in all. The Bishop refused to allow proceedings, chiefly because he thought it more desirable to settle the matter by peaceful and fatherly methods, Things much as before.

"IV. Lichfield, St. Matthew, Smethwick.—Complaints by churchwarden and parishioners of illegalities; but in consequence of an omission of the Bishop to comply with the Act, the case had to be abandoned in January, 1878, on points of a formal kind. So things went on as before.

"V. St. Matthew, Smethwick.—A second representation was made on April 8th, 1878, by Mr. Fowler. In consequence of the Bishop of Lichfield's illness, the case was sent on to the Archbishop of Canterbury. The Bishop died on the 11th of April, and the Archbishop, after keeping the papers several days, returned them, saying, as the See was vacant, he could do nothing. All the illegal practices are now going on.

"VI. Gloucester and Bristol, All Saint's, Clifton.—Complaints by several inhabitants of illegal practices, without results. The illegalities are going on.

"VII. Lichfield, St. Andrew's, Wolverhampton.—Proceedings taken under the Act; but after six months they were quashed on a point of form. The illegalities are still going on.

"VIII. With reference to the same, complaint was made by a churchwarden of twelve breaches of law. On the 19th of November, 1877, the Archbishop declined to allow proceedings, on the ground that he had been privately assured by Mr. Boddington, against whom the proceedings were taken, that he was ready loyally to submit himself to the Bishop of Lichfield. Illegalities are still going on. The Bishop being patron, the Archbishop had to act for him.

"IX. In the same case, on the 22nd of January, 1878, a fresh representative was sent to the Archbishop complaining of continued illegalities; and in a short time the Archbishop vetoed the case, on the ground that the presentment had not been made to the Bishop. On the 1st of March, Mr. Butcher tried again, and sent the presentment to the Bishop; but when the registrar was pressed for a decision, he said the Bishop was too ill to attend to business. On the 11th of April, the Bishop died. Illegalities are still going on.

"X. Christ Church, Wolverhampton.—This was a case similar to the preceding—that is, the Archbishop vetoed the proceedings on the ground that the incumbent promised to be loyal, and it all came to nothing, as illegalities are still going on.

"XI. Oxford, St. Andrew's, Clewer.—In this case, the parishioners had complained without effect; and in August, 1877, three of them submitted a representation complaining of eight illegal practices. The Bishop of Oxford refused to allow proceedings, because a guarantee for the expenses of the suit had been given by persons who were not parishioners. Illegalities still going on."

And with respect to this last case, there is the convent at Clewer, with which Canon Carter is connected; and it is stated in some papers that I have here, that the Bishop is a visitor of that establishment. It is scarcely convenient that, when complaints of such a grave character are made to Bishops, they should show no anxiety to have them investigated. Now, Sir, these are the cases which have arisen under the Public Worship Regulation Act, and we have seen with what efficacy that legislation has been invoked. I shall now call the attention of the House to something more immediately concerning ourselves, as the chief legislative authority, and that is the persistent, avowed, defiant, and intentional lawlessness of a numerous body of Clergy in the Church of England. Now, Sir, this is a very serious charge to bring, and one which, when proved, this House cannot afford to allow to pass by without taking notice of it. It is to this my first Resolution is directed. Let me, in the first place, quote in confirmation of this assertion the statement of the Rev. Orbey Shipley, one of the most active, and I might also say one of the most blatant, of the gentlemen who are engaged in this crusade. This gentleman says—

"I appeal to members of the Society of the Holy Cross to declare whether or not this Catholic Revival has not as a whole prospered. . . . not by reason of Episcopal support, but in direct opposition to almost every single Bishop who has unfortunately come across its divine course."

It is unnecessary for me to point out what the significance of that is; but, in passing, I may say that it is evidence that the Bishops, upon the whole, have been opposed to the work in which he and those who think with him are engaged. This gentleman, when he took upon himself the office of a priest in the Church of England, made a promise of a most sacred and solemn character, accepting the obligation of canonical obedience to those placed over him; and yet observe how he speaks of these very authorities. At his ordination he was asked—"Will you reverently obey your ordinary?" And he answered in the prescribed form—"I will so do by the help of the Lord." In the "Four Cardinal Virtues," Mr. Shipley says—

"In a case in which the Church has spoken . . . . whether the matter be decided definitely by creed or Council, or acted on practically by the equally clear authority of Catholic and universal consent, we are bound, be the consequences what they may, to hold or to deny whatever the Church has declared or has disavowed."

Now this gentleman, when he was ordained, was asked these questions, and gave these replies—

"Are you persuaded that the Holy Scriptures contain sufficiently all doctrine required of necessity for eternal salvation?—A. I am so persuaded, and have so determined of God's grace. Q. Will you then give your faithful diligence always, so to minister the Doctrine, and Sacraments, and Discipline of the Church as the Lord hath commanded, and as this Church and Realm hath received the same according to the commandment of God; so that you may teach the people committed to your cure, and charge with all diligence to keep and observe the same?—A. I will so do by the help of the Lord."

Such are this gentleman's obligations to the authority set over him, and yet you now find him coming forward with the repudiation of the very authority to which he undertook to submit himself. Here is a specimen, which I take on the authority of a well-known clergyman—the Rev. Bourchier W. Saville, Rector of Shillingford, Exeter—of the manner in which these gentlemen, who are concerned in the work against which the Resolution is directed, regard their duty of obedience—

"We will not obey, and will suffer anything rather than obey, the law as pronounced by Cæsar; because our present Sovereign has proved Herself as great a persecutor as the heathen Emperors Nero, Domitian, and Diocletian; we have to deal with this painful fact—that the supreme Governor of the Church of England is becoming an alien from its faith and discipline."

And again—

"The Bishops have so manifestly proved themselves to be the worst enemies of the Church of England, that we say, in the words of one of our most zealous leaders—'If I could

> but live to see the traitorous Bishops turned out of their Sees, I would gladly take off my surplice and stole, and say, *Nunc Dimittis.*' "

Such are the opinions of men like Mr. Mackonochie, as set forth in an address to his congregation of St. Albans; of the Rev. T. W. Mossman, in *The Church News* of April, 1868; and of Dr. Lee, in *Church of England Pulpit* of March 18th, 1876. I might readily multiply my proofs. The Rev. E. L. Blenkinsopp, in *The Church and the World*, p. 205—this gentleman being in favour of Confession, and a member of the Church Union, and other fraternities—says—

> "It is only the Judicial Committee of the Privy Council, no great authority in the eye of an English ecclesiastic!"

Again, Mr. Tooth refused to plead before the Court, and declined to accept its decisions—

> "Because the present case is a Church question, and can, from its nature, only be tried by spiritual authority."

And we have more in the same strain—

> "The Public Worship Regulation Act has no claim to obedience, because the priesthood has never given its consent to it."—(Letter to *The Times*, December 22, 1876.)

And, further, his churchwardens declare—

> "We, for principle, are determined to suffer loss of property, and of liberty, if need be, for the maintenance of the Church of England to govern herself in spiritual matters, without interference from secular authority."—(Letter of the Churchwardens of St. James, Hatcham, to *The Times*, January 18, 1877.)

On October 28th, 1876, an Archdeacon of the Church—Archdeacon Denison—speaking at Bristol, called the Public Worship Act "the foulest and dirtiest thing that ever came out of the Houses of Parliament." A great meeting of the English Church Union was held on January 16th, 1877, at which dignitaries of the Church were present. Archdeacon Denison, Canon Carter, the Hon. and Rev. R. Liddell, and the Rev. Dr. Littledale were among those who were at the meeting. It appears that the Church Union consists of 14,200 members, of whom 2,500 are Clergy, the others being lay communicants; and that this organization represents a still more numerous body, and holds opinions which are spreading among both Clergy and laity. They met in Freemasons' Hall, after Mr. Tooth was committed to prison; and what is the nature of the resolutions proposed by these servants of the State? Canon Carter proposed this resolution—

Mr. E. Jenkins

> "That the English Church Union, while it distinctly and expressly acknowledges the authority of all Courts legally constituted in regard to all matters temporal, denies that the secular power has any authority in matters purely spiritual."

Archdeacon Denison said at this meeting—

> "Unless we are come here to 'fight the Privy Council to the death,' to use Mr. Keble's words, we had better not to have come here at all. . . I believe I know what the answer of the priests will be; it will be this—that they will not accept the authority of a Court constituted by Act of Parliament only."

A resolution in these terms was also adopted at the meeting—

> "Any Court which is bound to frame its decisions in accordance with the judgments of the Judicial Committee of the Privy Council does not possess any spiritual authority with respect to such decisions. That suspension *a sacris* being a purely spiritual act, the English Church Union is prepared to support any priest not guilty of a moral or canonical offence, who refuses to recognize a suspension issued by such a Court."

The casuistry of these persons is rather curious. "Priests not guilty of a moral or canonical offence!" as if men who deliberately disobeyed the solemn vows they undertook when they entered the ministry of the Church of England were not guilty of one of the highest and worst moral offences one can conceive of! Here is the last passage under this head to which I shall invite the attention of the House, as evidence of the spirit of this party. It is from *The Church Times* of January 2, 1874—

> "The Queen's ostentatious Nonconformity, and Her scarcely less ostentatious slights of the Church of England, have deprived Her example of any religious weight with Churchmen."

Now, Sir, what I have adduced will, I think, be sufficient—and, if necessary, I could bring instance after instance—to show to the House that there is a party in the Church of England which is deliberately guilty of breaches of the law, and which is determined to push matters to the utmost extremity. It would, Sir, be impossible for me to review at any length all those deviations from Protestant spirit and doctine of which this party is guilty, or to occupy the attention of the House to the extent which would be necessary in order to show the differences that exist between the views of what I may call this revived school of Romanizers in the Church of England and the doctrines of that Church, as laid down by her authorities, and which I would denominate Protestant doctrines. But it will be necessary that I should read to the House one or two passages, that they may know the character of what is going on. Mr. T. W. Freston, writing to *The Manchester Courier*, gives a description of what he saw on a visit to Mr. Knox-Little's Church (St. Albans) on the first Sunday of the present year. He says—

> "On entering the church I perceived that the chancel was in darkness, but I was directed by the lighted gas to the north aisle, at the east end of which a sort of chapel had been improvised by means of a partition line of iron covered with evergreens. Against the east wall stood a second communion table. . . . . . . There were eight lighted candlesticks on this table, three of large dimensions on either side of a brazen cross, and two smaller ones, which only contained lighted candles. At the time appointed, the minister came from the vestry, wearing an alb, with deep, lace-like fringe, a white silk chasuble, with orphreys richly worked in gold, a stole cross upon the breast, the embroidered ends being visible below the chasuble, and a biretta on his head. He was followed by a small boy of about 12 years of age habited in black cassock and cotta. On approaching the table both bowed. . . . . But I will hasten to describe the consecration of the bread and wine. The minister, standing with his back to the people, murmured the Prayer of Consecration in a voice quite inaudible until he came to the words, 'This is My body,' on uttering which a bell was tolled; so also when he took the cup. He then prostrated himself before the consecrated elements, and raised first the bread and then the wine above his head for a definite moment. My attention was here attracted by one or two women close to me who were fallen upon the floor with their very bonnets on the ground. Nearly all present communicated, and I observed that the minister made the sign of the cross in presenting the bread to each—the same with the cup. In some instances I observed that the partakers put out their tongues to receive the bread from the hands of the minister, and in no case did he place the cup in the hands of any communicant, but put it with his hands to their lips. After all had partaken he proceeded with the service, prostrating himself before the bread and wine on coming to the words, 'We worship Thee.'"

Hon. Members of this House who are true Roman Catholics must feel that there is a horrible profanity and assumption, on the part of men not connected with their Church, in undertaking to perform this awful and solemn office. At all events, they will agree that these services are of the character which it was the aim of the Reformation to alter and to remove; and whether in themselves they be right or wrong, it is not possible that ministers of the Church of England should be allowed thus to persist in their illegal courses, and carry out their unlawful aims. The Rev. Gerald Cobb, in his *Kiss of Peace*, and Dr. Littledale, in his tract on *The Real Presence*, set forth the doctrine that—

> "The Church of England holds precisely the same view of the Lord's Supper as the Church of Rome."

And they contend that at the Lord's Supper the consecrated elements became

> "that same body and blood of our Lord Jesus Christ which were conceived by the Holy Ghost, born of the Virgin Mary, suffered under Pontius Pilate, and ascended into Heaven."

This is the doctrine of *The Real Presence.* The Rev. J. W. Bennett has written a *Plea for Toleration in the Church of England*, in the preface of which he says, of—

> "The Eucharistic sacrifice and of adoring God in the offering, the real, actual, and visible presence of our Lord upon the altars of our churches—we adore, and teach the people to adore, the consecrated elements, believing Christ to be in them; and the three great doctrines on which the Catholic Church has to take her stand are these:—1st. The real objective presence of our blessed Lord in the Eucharist. 2nd. The sacrifice offered by the priest. 3rd. The adoration due to the presence of our blessed Lord therein."

Now, Sir, I simply quote these for the purpose of showing that the doctrine of the Mass, as believed in the Church of Rome, is held and taught by clergymen in the Protestant Church of England to persons who were brought up in that Church. I need not trouble the House with the declarations made by these clergymen, as made by all who enter the ministry of the Church of England. The doctrine of the Church of England will be found in the 25th and 28th Articles. The reservation of the sacrament is forbidden by the 28th Article, and yet it is notorious that reservation is taught or practised in many of the churches of our land. I do not propose to ask the House to enter any further into this part of the question, and I now come to what I think is its most serious phase. I refer to the great engines of this work, which are two — the Confessional and Secret Societies. I hold in my hand a book lately issued, being dated this year, which is edited by the arch-priest of this so-called movement for the restoration of Catholicism to the Church of England. It is entitled *Advice to those who exercise the Ministry of Reconciliation through Confession and Absolution;* being the Abbé Gaume's Manual for Confessors, or his extracts from the works of S. Francis de Sales, S. Charles de Borromeo, S. Philip de Neri, S. Francis Xavier, and other spiritual writers; with a Preface, embodying English authorities on Confession, by the Rev. F. B. Pusey, D.D., Canon of Christ Church, Oxford. This book will give the House some notion of the sort of teaching which priests of the Church of England receive in the guise of Church of England doctrine. I have read the preface with great care, and I find that Dr. Pusey complains very bitterly of the manner in which *The Priest in Absolution,* brought forward in "another place," and containing passages which he admits were unfortunate, has been used. I cannot but feel that surely Dr. Pusey must know a great deal more of these things than he affects to know. We have the "Confraternity of the Blessed Sacrament," the English Church Union, and societies, such as the "Society of the Holy Cross," whose members are in constant communication with each other; and notwithstanding that, when they are brought to book, what do we find? We find them coming forward and prevaricating and denying the existence of things brought home almost to their very doors. The House will recollect a celebrated instance in which an ecclesiastic of the Roman Catholic Church challenged one of these gentlemen with respect to these doctrines in the Church of England; and we can remember what an extraordinary figure was cut by the English ecclesiastic, who had to blush for the manner in which, time after time, matters were brought home to him, to the publication of which he was a party, or which, at all events, he ought to have known. In this book, well worth the attention of the House, Dr. Pusey says—

> "In 'some' manuals of Christian practice and devotion, in which the duty of 'self-examination' is incidentally treated of, people have been taught how to examine themselves, with much greater nakedness of language than I myself think advisable. I remember how, above thirty years ago, a mother complained of having found such a popular Roman Catholic manual among her daughter's books, which she had procured for herself. That manual is one of large circulation among their poor, and, since questions of self-examination are like a large net, which is meant to inclose all sorts of consciences, good or bad, it contained questions which a good conscience would see at a glance were not intended for it. Such a conscience would pass them by unread, just as it does not notice certain words in Holy Scriptures or the Prayer Book."

Certainly Dr. Pusey has a higher idea of human nature than I have, if he thinks good consciences would always be able or willing to pass over these passages only by without danger. In one manual prepared for the use of the laity, but which is also placed in the hands of children, there is a series of questions on the Seventh Commandment, such as no man would care to see in the possession and daily use of his wife or children. Here, again, is a doctrine which the House will be amazed to find coming from the pen of a doctor of the English Church—

> "Obvious as it is, it is necessary to say, that by the fact of receiving a confession no priest acquires any right whatsoever. If any should have received confession of a sin which would make him who confessed it amenable to the criminal law (as murder), it is as if the grave closed over it. He is forbidden, under penalty of sin, to allude to it out of confession, even to him who confessed it."

[Sir GEORGE BOWYER: Hear, hear!] My hon. and learned Friend says "Hear, hear!" I am delighted to hear that from him. From the members of the Roman Catholic Church that is perfectly right; but the question is, whether a confession of this sort is a thing that should be received by a minister of the Church of England; or whether it would be necessary to take steps to vindicate the law if, upon receiving a confession of murder, a clergyman of the Church of England refused to disclose it upon trial? There are one or two things here which I would rather not read to the House, because they are not necessary for the object I have in view, and because the House will agree that they refer to matters which it is not desirable to bring before the public. But let me point out the manner in which it is suggested that the consciences of unfortunate persons who go to confession should be stimulated. You find this statement—

"Be charitable and discreet with everyone, but especially with women, in helping them to confess shameful sins.

"If you find that your penitent has great difficulty in mentioning these, lead him on by degrees to confess lesser faults, such as thoughts of levity, or pleasure in hearing light conversation, going on through evil thoughts and actions, and encouraging him by saying—'You will be very happy when you have made a good confession. God is showing you great grace. His Holy Spirit is moving you to it; be brave; tell all your griefs; you will feel so thankful when all is confessed that you have not left it undone for all the world.' . . . . Thus you will gently draw forth a full and profitable confession."

Dr. Pusey tells us in his preface that he does not pursue anything like so close an examination himself; but if he does not pursue it himself, by putting this book into the hands of his friends, he virtually tells them to do it. Then there are passages with reference to the manner in which women and children should be confessed. With regard to children he says—

"Ask children—(1) if they have nourished hatred towards their parents, which is a double sin against charity and piety; (2) if they have disobeyed them in serious and just matters, such as going out at night, gambling, frequenting bad society, &c. I say in 'just' matters, because, as regards the choice of a state of life, children are not bound to obey their parents. In truth, parents sin grievously when they force their children to marry, or to take orders, or domestic vows; or when they deter them by unjust means from the state of life they seek to follow."

You will observe at once what is the effect of this. Here is a person supposed and affecting to be acting by divine authority, who interposes between parents and their children, and who undertakes to decide for any child what it is just or unjust for the child to do. Surely in our English homes it will not be permitted that such things shall be done! It is not the intention of this House—it is not the intention of the constituencies of this country, that we should have these ghostly fathers interposing between ourselves, our wives, and our children, with the power of judging what is right or wrong for them to do. There is another case which is one of conscience—

"Ask the penitent whether he has stolen anything, and from whom? Whether from one or several persons? once or several times? For, if each time he has taken what constitutes a serious matter, he has sinned mortally each time. If, on the other hand, he took but little each time, he only committed mortal sin, when his thefts amounted to a serious matter, supposing that such was not his intention from the first."

The old distinction between venial and mortal sins! This is the kind of teaching that is now emanating from the Church of England. Yet, again, Dr. Pusey tries to draw a distinction between the mere confessor and the director. He does not put himself forward as a director. He states that he is not disposed to assume the responsibility and burden of acting as what is called a director. It is all very well to say this for his own purpose; but when we come to the Abbé Gaume, who speaks as a proper authority, we find that he says—

"Theologians give many rules for the treatment of scrupulous persons; but it is certain, that, after prayer, the best and only remedy is obedience to the Confessor. Seek, then, to inculcate two fundamental maxims upon all the scrupulous—1. To go on securely before God in obedience to his spiritual father, where there is no evident sin. It is not man, but God, whom he obeys—*qui vos audit me audit.* This is the doctrine of all theologians and all the masters of the spiritual life, &c. S. Philip Neri used to say, that 'he who obeyed his Confessor was sure not to be called to account for his actions by God.'"

Again—

"Those scrupulous persons who desire to advance in perfection must put themselves wholly and irrevocably into the hands of their superiors. Those who do not live under a Rule must voluntarily submit themselves to a learned and wise Confessor, obeying him as God himself, laying all their concerns freely and simply before him, and never coming to any determination without his advice. Such an one, S. Philip said, need not fear being called to account by God."

"Direction" could hardly be more strongly enjoined. I do not wish to trouble the House with many more extracts; but there is one which I should like to read, and which I cannot help feeling is the very strongest reflection upon the whole of this doctrine—

"A little girl once asked her Confessor's leave to make her general confession, and to use a particular book for the purpose. She had leave. She wrote down all the sins which she found in the book, whatever their enormity, to the infinite horror of the priest. 'But my child,' he asked, 'have you really done all this?' 'God forbid, father,' she answered. 'I wrote them down because they were in the book.'"

I should be sorry if any child of mine, any hon. Member would be sorry if child of his, were exposed to so terrible a trial as this! The last point which I would ask the House to consider is, whether an inquiry is not necessary in consequence of the existence of many guilds and secret societies in the Church—societies which are bound together by vows of secrecy. A Royal Commission would discover whether there are any grounds for the statements I have made; and whether, in fact, doctrines are taught, and ceremonies are practised in these societies and by clergymen, which are entirely inconsistent with the spirit and principles of the Church of England. I want to find out whether such things exist in the Church of England among the ministers and "servants of the State." The House will, perhaps, remember that in 1832 there was considerable excitement caused in the country, owing to the secret existence of Orange Lodges in the Army. A Member of the House (Mr. Hume) came down and demanded that a Select Committee should be appointed to inquire into the existence of these Lodges in the Army. An inquiry was ordered by the House, and the result was, that the continuance of these secret societies in the Army was proscribed, and that the Duke of Cumberland broke the whole thing up. That is a case distinctly in point. I am not laying the matter before this House as a religious question. I am laying it before the House simply as a constitutional and legal question; and I ask it, whether it will assent to this persistent attempt to carry on illegal practices by means of secret societies in the Church of England? The ministers of that Church are as much the servants of the State as the officers of the Army; and are they to be allowed, as some of them avow that they are doing, to undermine the Protestant principles of the National Establishment? Sir, I have endeavoured to bring before the House the principal facts which tend to show the necessity, at all events, for inquiry. All that I had to do to-night was to make out a *primâ facie* case; and I think I have shown, first, that a spirit of lawlessness exists in the Church of England; second, that acts of lawlessness have been committed; and, third, that practices inconsistent with the Protestant feeling and principles of the country have been carried out by what I call improper means. These circumstances having now been brought to the notice of the House, it is not for me to say anything more. I have vindicated my right to intervene in these matters, and the House may be satisfied that if Churchmen do not intervene, the Protestant Dissenters of the country will intervene in another and very different way. I am here, first, as a Protestant. I am here because Protestantism is something worth caring for; because it is identified with the political and religious freedom of the country; because it is to the spirit of Protestantism that we owe our greatness and our liberties as a nation; and because it is through our Protestantism that we have planted the principles of civil and religious liberty in other and distant climes. I cannot but feel that it is something precious to which so much of the liberty we possess is owing. I must say that if the practices to which I refer are to be allowed to go on, the Church of England will become false to its position and history. If the practices and principles to which I have called attention are to be maintained within the Church of England—principles so incompatible with our civil liberty—it will be necessary for the people of this country to rise up, and insist that the union between Church and State shall not continue. I am not here for the purpose of arguing that question to-night. I am here for the purpose of warning those upon whom rests the duty of maintaining those great principles on which the Church of England has been established, that that duty can no longer be neglected. I am sure that hon. Members on both sides will appreciate my honesty of purpose in bringing forward this question, and will believe that my aim is simply to vindicate Protestant principles. I earnestly desire and hope that the House will assist me in endeavouring to find out whether the facts which I have stated are true or false. The hon. Gentleman concluded by moving the first of the Resolutions of which he had given Notice.

Mr. GREENE said, he had much pleasure in seconding the Amendment, although he did not, generally speaking, agree with the hon. Gentleman by whom it was proposed. When he first saw it on the Paper, he felt that he could not withhold his assistance in this great cause. The practices to which it related continued, he was sorry to say, despite of the Act of Parliament which had been passed to put them down, and, instead of being checked, were proceeding to greater lengths. He regretted that there was so much apathy on the subject. Parliament was responsible that the Church of England should continue as she was handed down to them at the Reformation. She existed only by the will of Parliament, and they were bound to see that her teaching was in accordance with the doctrines which she professed. They could not conceal from themselves that things were now taught by some of her ministers which were perverting the true character of the Church of England and were insulting to Government. He was not going to pollute the ears of hon. Members by making quotations from utterances which, in his opinion, were a disgrace to society; but they contained references to the Virgin Mary and the Saints, which led him to ask whether clergymen of the Church of England who openly preached such doctrines ought not to be charged with breach of trust, and with something like embezzlement of the funds of the Church? There prevailed, he believed, a sound, honest opinion among the middle classes of this country which would support those who were determined that the Church of England should be maintained in her purity. He himself was a strong supporter of the union of Church and State, because he believed it formed a barrier against Romanism. He knew there were many Members who did not agree with him; but he valued those much higher who openly adopted the Romish doctrines than those who clandestinely attempted to introduce them into the Church of England. On such a subject he felt inclined to use stronger language than the House might think advisable. He would avoid that; but he would refer to the advice given by Dr. Pusey in *The Church Times.* That advice was that the military organization of the Church's Army should be completed, but that the advanced posts should only be a little in front of those who were behind them. An illustration was then given of a baker who bought a small joint of meat and exchanged it for the next one in size received from his customers, and then continued the process of exchange till he had secured a joint of 20lb. weight for his own of 6lb. without any of his customers being able to detect the fraud. A similar process was advised for the introduction of Romish practices into the Church of England. They were asked to consider how obliging and attentive the clergymen were; but would they, because a doctor was obliging and attentive, admit him to their houses, if he were found to administer poison instead of medicine? As to the Bishops, they had not, in his opinion, done their duty in not endeavouring to suppress more firmly than they had done the evil of which he complained. The House was aware that 2,500 clergy, or more than an eighth of the whole number, took part in these proceedings; and there were, besides, numbers who sympathized with them, because clergymen were fond of exercising priestly influence over the minds and consciences of men. It was because he had a desire that the Church of England should be kept in the hearts of the people that he spoke as strongly as he had done. He had been asked, why stir up these things? why not let them go on? He asked, in reply, where were these things to stop? The time had come — and he trusted he should hear from those in power that it was so—when the law could not be broken with impunity, and when it would not be possible that an offender should escape on a technical point when he had had trial after trial. There were, he firmly believed, within the Church of England Jesuits — men who had taken office in it for the express purpose of perverting its doctrines—and there could be to Nonconformists no encouragement to come back within the fold of the Church when they saw it pervaded by so much of error. Holding these views, he gladly supported the Amendment.

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "an humble Address be presented to Her Majesty, praying that She will be graciously pleased to appoint a Royal Commission to inquire as to the teaching and practice by Clergy of the Church of England of Doctrines and Ceremonies not authorized by Law, or contrary to the Laws and usages of the Church as by Law established," —(*Mr. Edward Jenkins,*)

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

MR. BERESFORD HOPE said, that he had listened with great attention to the speech of the hon. Member for Dundee (Mr. E. Jenkins), who had brought forward a very long series of quotations, and had read much that he had been pained to hear, and many statements from which he emphatically dissented. Having said that, he would call on the hon. Member to say what he proposed to do? It was very easy to ask the House to address Her Majesty for the appointment of a Royal Commission; but when, and upon what principle, was the Commission to be named, and who were to be Members of it? The hon. Members for Dundee and Bury St. Edmund's had passed a most sweeping condemnation of the Bishops, both in particular and in general; and he wished to know whether or not any of them were to be members of the Commission, or whether, on the contrary, they were to be its victims, and, if Bishops were excluded, whether the Commissioners were to be clergy or laity; whether any lawyers were to be members, and whether they were to be empowered to call unwilling witnesses to give evidence on oath? Was the Commission to be one-sided, and the parties impugned only to appear as culprits, and to be dealt with by Jeddart law, or were they to have their share of representation? The Commission would have to inquire into processes, doctrines, ceremonies, and opinions, and other matters which were alleged to be contrary to the Prayer Book; but who was, first of all, to define either those ceremonies and doctrines, or their relation to the Book which was to test them? Was it not the fact that for 300 years there had been two parties in the Church of England, one turning to the higher and more ancient system of the primitive Church, and the other dwelling more on free thought and private judgment; one looking to England and the other with an eye to Geneva? Was the Commission to begin by arbitrating between these parties, so as to define the true, sound, and acknowledged doctrine of the Church; or, if not, from whom were they to receive it, necessary as such a definition would be to them as their point of departure? Again, the question arose whether the Prayer Book was self-explanatory; for, if it were, he defied anyone to explain the divisions existing in the Church. At all events, the Commission would find itself bound to offer some plausible explanation. The hon. Member had based his demand upon the assumption that the Church was the creation of the State, and had averred that at some unknown period the present Church was established in lieu of another, and a prior one; but could he mention by what Statute or at what time the old Church of England was put down and the new one set up, and could he explain the reason why in all the Courts of Law the Church, before and after the Reformation, was treated as a continuous body? The organization of the Church of England went back for 1,300 years, and any of its prescriptions and canons not specifically or by necessary inference repealed were still valid, not only in the Ecclesiastical but in the Civil Courts. The phrase "old and new Churches" was all very well as a platform for a pamphlet or a newspaper article; but it broke down in the Law Courts. It was the very antipodes of the whole of our ecclesiastical policy; and he might ask whether the Commission that was to be appointed would be compelled to swallow the shibboleth of the hon. Member, and whether it would have to sit in judgment on its author, and not devour its offspring like the god of old, but destroy its parent? Above all things, was the world so idle just now and so completely in want of something to talk about that it must needs plunge into infinity and endeavour to grapple with so large and slippery a question? Chaos must be the upshot of the hon. Member's magnificent Commission, in all the vagueness of its ambiguous and ensnaring scope. No doubt the hon. Member was a man of literary power; in that case, he should refute what had been said by the Ritualists and gather his converts by force of pen. Part of the task which the hon. Member proposed for the general recreation had actually been performed by the Ritual Commission of some little time back, and the years which that body had to consume over its limited work was some warning of the time which this more extensive inquiry must occupy. He could not look back without amusement at the fate of one eminent statesman, then though no longer a Member of this House, who rose at its first meeting to anticipate that a few sittings would conclude its short and easy work, and who then found himself chained for several years to the oar. They had heard a very ingenious plea, founded upon a theory of the hon. Member's, as to the origin and nature of the Church of England, which was contrary to history, experience, and law, and Her Majesty was to be invited to issue a Royal Commission in order that that theory might be *ex post facto* justified. In fact, to sum up the whole matter, if the hon. Gentleman succeeded in his device, he would simply succeed in putting all parties in the Church, Ritualists and Evangelicals alike, at sixes and sevens, in sowing so much dissension, and in provoking so bewildering an inquiry, that the result would be simply disestablishment of the Church.

MR. SPENCER WALPOLE wished to make a few remarks on the subject, feeling that it was one with which the House ought to grapple. He frankly owned that he much regretted that the Motion had been brought forward, and he regretted still more the causes which had led to it. For, unless there was at that moment a paramount necessity for bringing it forward, it was likely to do more harm than good; but if that necessity did exist, then they must deal with it in the way which would be best for the maintenance of the Church of England in all its purity. His hon. Friend and Colleague (Mr. Beresford Hope) had pointed out the reasons for which the Motion should be opposed, and in most of those reasons he entirely concurred. He would remind him, however, that the Commission, appointed by the late Lord Derby's Government with the sanction of all his Colleagues, dealt simply and solely with Ritualism and the changes in the Rubrics which might be deemed desirable; but when he read the Motion before the House, he found that it raised a much more considerable question. According to the terms of this Motion, the Commission was to inquire as to the teaching and practice by the Clergy of the Church of England of doctrines and ceremonies not authorized by law, or contrary to the laws and usages of the Church as by law established; and then the Motion went on to four other distinct propositions, pointing to that which the Mover had described as an attempt to un-Protestantize the Established Church of the country, to the lawlessness of the Clergy belonging to it, and to the conspiracy in which they were alleged to be engaged, by means of the Confessional and Secret Societies, for the purpose of accomplishing their illegal objects. Now, the question was, whether there was a sufficient ground made out for them to inquire into a general allegation—for that was really what the Motion pointed to—that the Bishops and Clergy of the Church of England were transgressing the law and neglecting their duty in allowing those things to be carried on within the Church itself? The hon. Member had quoted a variety of recent decisions on the subject, and he had quoted the authority of certain Bishops who had made the strongest declarations—not stronger than the occasion required — and then the hon. Member pointed out the lawlessness of the Clergy and the Secret Societies that existed, by means of which these were things attempted to be done. He thought the hon. Gentleman would see that it would be a very grave matter indeed to issue a Commission of Inquiry into such subjects as these, unless there was an urgent and paramount necessity for bringing them before the House. It would be a very grave matter indeed to inquire into such subjects, unless there was clearly an urgent and paramount necessity for it. The failure of which the hon. Member had spoken did not consist in a failure of the law in dealing with those things; for the question was now before the Court of Appeal, as to whether the law recently passed was not sufficient to grapple with all those matters. If the law was sufficient, they would do wisely by leaving it to take its course. If it proved insufficient, unquestionably the hon. Member would have a strong case in favour of some alteration being made. Then, with regard to the quotations which the hon. Member had made from the Archbishop of Canterbury and the Bishop of Gloucester and Bristol. Surely, if they were to understand those words in the sense in which they ought to be understood, those Prelates had shown the strongest possible desire not merely to grapple with those matters, but to grapple with them, as ought to be done, in the most careful and judicial spirit. Therefore, the second reason which might induce the House to support the issue of a Commission at

It was his belief that the enormous proportion of the Clergy evinced a desire to conform to the principles of the Church of England, and he could not admit that any case to the contrary had been made out. The hon. Gentleman had spoken of the lawlessness of the large proportion of the Clergy. If that was the case, would not the Public Worship Regulation Act have given some evidence of the fact? How many cases had there been under that Act? The hon. Gentleman asked them to appoint a Royal Commission; but had he proved that the law, as it at present stood, had failed? Was it a fact that the present law had failed? It was only three years next November that the Act had been in operation, and it could not yet be said to have been fully tried. No case had been made out for the appointment of a Royal Commission. He could not see how any hon. Gentleman desirous of maintaining the connection between the Church and the State could for a moment entertain this Motion. It was most inopportune at a time like this, when feelings were excited, and when it was hardly possible to give a calm consideration to the subject.

THE CHANCELLOR OF THE EXCHEQUER: I think the speeches of my two right hon. Friends the Members for the Universities of Oxford (Mr. Mowbray) and Cambridge (Mr. Spencer Walpole) have gone very far to show the House the nature of the objections which suggest themselves to the minds of many, and, I would venture to hope, the majority of the Members of the House, as to the particular course which is proposed by the hon. Member for Dundee. Undoubtedly, the speech of my right hon. Friend the Member for the University of Cambridge placed the matter in the light which I should think very many of us must regard it. My right hon. Friend said that while he regretted very much that this Motion should have been brought forward, he regretted still more the circumstances which had rendered it, in the opinion of the hon. Member for Dundee, necessary to invite the attention of the House to the subject. There can, I think, be but one opinion among us all as to the unfortunate nature of those circumstances which have led to our attention being drawn to this question in the manner it has been; and which, undoubtedly, has caused a great deal of feeling on the part of many of us with regard to the conduct of certain persons whose words and writings have been brought under our notice. I, for one—and I believe I speak the sentiments of this House generally — do deplore, and in the strongest manner reprobate, the conduct of those who, from whatever motives they may be actuated, are using their position in the Church of England in a way so detrimental to the true interests of the Church. But while I am quite prepared to agree with the hon. Member for Dundee—and, indeed, with almost everyone who has spoken—in lamenting and reprobating language and conduct such as he has described, I think we ought to be very cautious as to how we accept the proposal he makes for the appointment of a Royal Commission. We ought to ask ourselves very carefully what are the advantages he thinks he can propose to us by the appointment of such a Commission; and we ought also to consider what are the dangers and inconveniences that may be apprehended from such a step. A very practical suggestion was made by my hon. Friend the junior Member for the University of Cambridge (Mr. Beresford Hope). He put some very apposite questions as to the composition of the Commission, the nature of the work it would have to do, and as to the character of its inquiry. Those questions, I think, have been in no way answered, and no reply to them was foreshadowed by the hon. Member for Dundee. I think the hon. Gentleman has failed to bring his case properly before the House. Undoubtedly, he has pointed out certain matters which he thinks are deserving of consideration, and he has pointed to certain evils which, in his judgment, demand a remedy; but he has not connected his premisses with his conclusion, and he has not shown us how a Royal Commission is an appropriate mode of dealing with these difficulties. Moreover, he has not shown us how his Royal Commission would work, nor whether there may not be better ways of meeting the evils which are acknowledged to exist. I must take this opportunity of saying that I cannot assent to the fundamental doctrine which the hon. Member for Dundee laid down when he commenced his observations. He began by telling us that the Church of England was an institution of the

State, just the same as the Army, the Navy, and the Civil Service were institutions of the State. He told us, in fact, that the Church was a creature of the State; and that, therefore, it was in the power and the duty of the State to overhaul, if I may use the word, and regulate the Church, from time to time, just as it may think fit. I dissent from that view of the relation between the two bodies. I do not admit that it is right, or proper, to describe the Church as a creature of the State. I regard the matter rather in this light—the Church, having certain articles and formularies by which its doctrines and discipline are defined, has been accepted and admitted to certain privileges by the State, on the understanding that those doctrines and that discipline are the doctrines and the discipline which the Church is to maintain. Legal power has been given to keep the Church within the limits so laid down, and to confine the obligations and the relations of the State to the Church, on the condition of those limitations being observed on the part of the Church. If any authorities or ministers of the Church violate those conditions, the State has a right to interfere and say—"This is contrary to our contract;" and steps may be taken to restrain what is going on. But I deny that in the first instance the Church is to be treated as a creature of the State. Still, I admit most fully that it may be necessary for the State to arm the Church with power, or to take power itself, to restrain lawlessness and breaches of those conditions. I would remind the hon. Gentleman as to what has occurred in recent years upon these questions. In the first place, there was the issuing of the Royal Commission some years ago. What I understand to have been the meaning of appointing that Commission was this—It being a matter of doubt whether certain practices were legal which had been revived in the Church after having been left dormant for many years, the Commission was appointed very much for the purpose of considering how far those matters were legitimate and appropriate to the Church. It was a Commission strictly of inquiry, and it laid down the rules which, in the opinion of the Commissioners, ought to be followed. Besides that, there has been a wholly different proceeding adopted by the State of late years. After these matters had been so far ascertained by the Commission, the question arose whether sufficient means existed for keeping in order insubordinate ministers of the Church of England who were guilty of lawlessness and of disobeying the law of the Church. On that occasion the Archbishops and Bishops of the Church themselves came forward and said—

> "We are intrusted with certain duties for maintaining the law of the Church. We find, however, that we are not armed with sufficient authority, or that, at all events, the authority with which we are armed is clogged with so many inconveniences that we cannot discharge the duties which we ought to perform; and, therefore, Parliament must pass another Act."

Looking at those transactions, and having reference to what has occurred since, we shall find that the bearing of the law has been pretty well ascertained both as regards the doctrine and discipline of the Church on the points called in question, and that the proper ecclesiastical authorities have been armed with power supposed to be sufficient to give due effect to that law. The Bishops or other ecclesiastical authorities do not ask for further powers—they do not say the Act is insufficient; but they are proceeding by a firm, judicious, and temperate exercise of their powers under the law, with a belief that they will be able to regulate and restrain what is amiss in the Church. The House must take the case as so standing. They cannot too earnestly repudiate the conduct of undutiful members of the Church, and it is their duty to support proper authority and restrain those guilty of excesses; but to go beyond that and establish a Roving Commission, inquiring in all parts of the country what doctrines are taught, what practices are followed, and what faults are to be found, would be the most injudicious course which could be pursued. It could do very little good, and would be sure to lead to a great deal of heart-burning and evil. No doubt the hon. Member would desire to limit its proceedings to such gross cases as those he has cited, but a great variety of other cases would be certain to be brought before it altogether unconnected possibly with Romanish doctrines and practices; and I do not not see how it would be possible, in these circumstances, for a Commission of a sufficiently representative character to arrive at anything like unanimous conclusions. Considering that the law is already adequate to cope with the state of things depicted by the hon. Member, the House will, I am sure, come to the conclusion that no case has been made out for the Motion. It is true that a certain number of prosecutions have failed owing to some want of appreciation as to the proper course to be pursued; but such incidents are always liable to happen occasionally, and we may hope that as the present state of the law becomes better understood they will cease to recur. Supposing, however, they were likely to continue, it would surely be more appropriate to suggest the necessary amendments in the law than to appoint a Royal Commission? I hope the hon. Member will spare the House the pain of a division on this question. There can be no doubt that there is a general uneasiness and dissatisfaction with regard to such cases as those referred to by the hon. Member, and those who would not vote for a Royal Commission might still be unwilling to give a vote which would seem to approve of the practices complained of. The hon. Member, by his speech, which was of a fair and temperate character, and by the speeches he has elicited in the debate, which have all been of the same stamp, has rendered good service to the country; but I think he would render that service more complete by following the course I have taken the liberty of suggesting.

Mr. E. JENKINS, in obedience, as he believed, to the general feeling of the House, would withdraw his Motion, adding, however, that he would again call attention to the subject next year, or support some other hon. Member in doing so, if the legal methods upon which the Chancellor of the Exchequer relied proved ineffectual for remedying the evils complained of.

Amendment and Motion, by leave, *withdrawn.*

Committee *deferred* till *Monday* next.

POOR LAW AMENDMENT ACT (1876) AMENDMENT BILL—[Bill 134.]

(*Mr. Mellor, Mr. Merewether, Sir Charles Forster, Mr. Phipps, Mr. Cowan, Mr. Hibbert.*)

Order for Consideration of Lords Amendments read.

The Chancellor of the Exchequer

Motion made, and Question proposed, "That the said Amendments be now taken into Consideration." — (*Mr. Mellor.*)

Mr. MELLOR moved that the House do not agree to the Lords' Amendments, as they would, if acceded to, defeat the object of the Bill, which was to relieve trustees and managing bodies of provident societies from the arbitrary requisitions which were now made upon their sick funds for Union purposes by the partial repeal and modification of that paragraph in the 23rd clause of the Poor Law Amendment Act, 1876, which empowered the Guardians of a Poor Law Union to recoup the expense of maintaining paupers and pauper lunatic members of a friendly society by attaching for this purpose any periodical payment or sick allowance which might accrue to them as members of a Lodge, and by ignoring the claims of their families, apply the money in aid of the rates so long as they remained chargeable to the Union as inmates of a workhouse or of a lunatic asylum. To give effect to the object of this Bill, they were told would be a violation of the policy on which the Poor Law was administered; and in order to prevent this violation of a policy, the Bill had been mutilated and reduced to the smallest dimensions by eliminating from it the words "pauper or," and thereby limiting its operation to the case of lunatics only. The reason assigned for not extending the operations of the Bill to members of benefit societies generally when suffering from the effects of contagious disease—such as fever, or from injuries sustained at work, and which might render their removal to the workhouse hospital absolutely necessary — was that they would be giving an artificial bounty to members of those societies which was not enjoyed by any other class in this country. But as a concession had been made in the case of pauper lunatics, whose families were to enjoy special privileges, he hoped that the other House—should this Bill be reconsidered—might be induced to extend those privileges to the families of sick and temporarily disabled members of a benefit society, and that the words "pauper or" would be restored to the Bill. Should this concession be made, and the other Amendments be modified, the Bill would be accepted by the societies, and the existing excitement in regard to it would be allayed. But if those words were not to be restored, and the other Amendments were retained, he had much rather the Bill were rejected. He, therefore, moved to disagree to the Lords' Amendments.

Mr. FAWCETT did not want to offer any opposition to the Motion; but from the short conversation which took place this afternoon at 2 o'clock, he felt certain an impression was produced that the Government would use their influence with the hon. Member not to bring the subject before the House to-night. His right hon. Friend the Member for the City of London (Mr. Goschen), who had devoted great attention to this subject, was particularly anxious to make some remarks upon the alterations which had been inserted by the House of Lords; but he had left the House under the impression that the Bill would not be taken to-night. The Amendments of the Lords were carried by the large majority of 20, and his right hon. Friend, while not prepared to go to the extent of saying that they should disagree with the Lords, was very desirous, in the interests of the people connected with friendly societies, to come to some compromise, if possible, which could alike be agreed on between the Government and the hon. Member for Ashton (Mr. Mellor); and which would be likely to be accepted by the House of Lords. Under these circumstances, he thought it would be better if the Bill could be postponed until the right hon. Gentleman was in his place.

Mr. PELL desired to confirm what had just fallen from the hon. Member as to the impression that the Bill would not be taken to-night. He was entirely taken by surprise on observing that the hon. Member for Ashton rose and moved that the Lords' Amendments be considered; for he had himself told several hon. Gentlemen that it had been definitely settled the matter should be adjourned, and on the faith of that understanding, those hon. Gentlemen had left the House. He, therefore, hoped the hon. Member would consent to postpone the Bill, because he would gain nothing by pressing it forward to-night. The object the friendly societies had in view would be best promoted by an adjournment to a future day.

Sir H. DRUMMOND WOLFF would like to have some assurance from the Government as to the course they intended to pursue in regard to this matter. The Bill passed this House unanimously, and it was the universal wish of the friendly societies of the country that it should pass; but in the House of Lords it had been opposed by a set of Liberal Peers.

Mr. FAWCETT rose to Order. He did not think it was competent for the hon. Member to refer to what had taken place in the House of Lords, and certainly he ought not to say that the Bill was opposed simply by a set of Liberal Peers, because such was not the fact. The Earl of Redesdale and other Conservative Peers equally opposed it.

Sir H. DRUMMOND WOLFF repeated that "elsewhere" the Bill had been principally opposed by Peers of Liberal principles; and the Amendments which destroyed the character of the Bill were moved by a Liberal Peer. This was a question upon which there ought to be no trifling. It was the unanimous wish of the House that the Bill should pass as it was sent to the House of Lords, and he hoped they would stand by their previous decision.

Sir CHARLES FORSTER joined in the appeal that the Bill might not be proceeded with to-night.

Mr. SCLATER-BOOTH said, what passed at 2 o'clock was this. In reply to the right hon. Gentleman (Mr. Goschen's) Question as to whether the Bill would come on to-night, he said that he had no knowledge that it would come on. Of course, in giving that answer, he was entirely ignorant as to what course his hon. Friend the Member for Ashton (Mr. Mellor) intended to take, and his hon. Friend was not in any way pledged by what he had stated. At the same time, he felt bound to say that there appeared to be a strong desire that this matter should be dealt with in a way that would be agreeable to the friendly societies, without placing themselves in antagonism with the views expressed in the House of Lords. Under these circumstances, he thought his hon. Friend would be perhaps well-advised if he consented to the adjournment which had been suggested, say until Monday, though no doubt it was a hardship at this reasonable hour of the night to forego the chance of proceeding with the Bill.

Mr. MUNDELLA also considered it would be better not to go on with the Bill to-night. At the same time, it was fair to consider that it had been a very difficult business to carry the Bill through to its present stage, and at this period of the Session the hon. Member could not well afford to lose an opportunity. On the other hand, if there was an understanding that the measure would not be taken to-night, that ought to be honourably adhered to. He also wished to remark, that seeing how strong the Government were in the House of Lords, if they had wished to see this Bill passed in the form it left this House, they could easily have procured its passing. The friendly societies had been misunderstood, and what they wanted to do had been exaggerated. It had gone forth that the Bill was an infraction of the principles of the Poor Law; but this, he considered, was not a true charge, and friendly societies, by the action they had taken, had done more to save the poor rates than anybody else. If the Lords' Amendments were agreed to, it would be a discouragement to thrift in connection with friendly societies in this country.

The CHANCELLOR of the EXCHEQUER: I think the first object we all ought to have in view is strictly to observe an honourable engagement; and I had not heard until the Bill was called upon of anything having passed in reference to it at 2 o'clock to-day; and from what has since been said, I do not understand that the hon. Member for Ashton is bound by anything which has occurred. At the same time, it has, obviously, had the effect of inducing the right hon. Member for the City of London (Mr. Goschen) to absent himself, in the belief that the Bill would not come on. Therefore, it would be inconvenient, and might lead, perhaps, to some complaint, if we proceeded with the Bill to-night, though, as I have already said, I do not think the hon. Member is bound by what took place at 2 o'clock. I supported the Bill in the form in which it left this House; and now it has come back, altered in some material respects, I think the hon. Member is taking a natural and proper course in endeavouring, I will not say to restore the measure absolutely to its original shape, but to consider whether some compromise may not be effected. I understand the hon. Member wishes to re-insert in the Bill the words "pauper or," which have been struck out by the Lords, and the other Amendments he will not object to. Therefore, I would suggest to him, in his own interest, to consider whether it will not be better to postpone the Bill until Monday, in order to see what understanding may be come to? If, however, the hon. Member thinks he ought to take this opportunity of proceeding, I shall support him in whatever he does, as I have previously voted for the Bill.

Mr. MELLOR said, in deference to the views which had been expressed, he had no objection to withdraw the consideration of the Bill from to-night, and he would proceed with it on another occasion.

Motion, by leave, *withdrawn*.

Lords' Amendments to be considered upon *Monday* next.

TENANT RIGHT (IRELAND) BILL.

(*Lord Arthur Hill-Trevor, The Marquess of Hamilton, Mr. Mulholland, Captain Corry, Mr. Chaine.*)

[BILL 31.] CONSIDERATION.

Order read, for resuming Adjourned Debate on Question [19th June], "That the Bill be now taken into Consideration."

Question again proposed.

Debate *resumed*.

Question put, and *agreed to*.

Bill *considered*.

Mr. ISAAC proposed to amend an Amendment which had been made at the end of Clause 2, by inserting words intended to protect existing leases of property belonging to the London City Companies.

Amendment proposed,

To the Bill, in the words inserted in the Committee, at the end of Clause 2, viz., "the court, in determining the amount of compensation to be paid to any person making any such claim, shall take into consideration of the terms of the lease, the rent at which the premises were held, and any stipulation, proviso, covenant, or agreement therein contained or referred to for the erection of buildings or the making any improvements by the lessee," by leaving out from the word "into," in line 2, to the end of the said words, in order to insert the words "account in reduction of the claim any express stipulation, proviso, covenant, or agreement for the erection of buildings or making any other improvements by the lessee, contained or referred to in the lease, or subject to which the holding shall have been demised,"—(*Mr. Isaac,*)

instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Bill."

Mr. BUTT complained that no Notice had been given of the Amendment. He was not aware of its character; and in order that he and other Irish Members should have an opportunity of considering it, he moved the adjournment of the debate.

Motion made, and Question proposed, "That the Debate be now adjourned." —(*Mr. Butt.*)

Lord ARTHUR HILL-TREVOR said, the hon. and learned Member for Limerick (Mr. Butt) did not seem aware that an agreement had been made, by which, as he understood, all opposition was to be withdrawn.

Mr. BUTT knew nothing of any compromise on the subject.

Mr. J. LOWTHER was bound to say there was very considerable force in what had fallen from the hon. and learned Gentleman. He himself was not even acquainted with the wording of the Amendment now proposed without Notice. The object of the Amendment introduced in Committee with the full assent of the promoters of the Bill, he understood to be the preservation of vested interests. It did not seem to him to effect that object; but if the promoters of the Bill, and also those who had moved Amendments, were satisfied, he should not oppose it. Perhaps, under the circumstances, his noble Friend who had charge of the Bill would not insist upon going on with it at that late hour, in the absence of any means of ascertaining what were really the intentions of those responsible for the measure, or how far the words proposed would effect their ostensible object.

Mr. MULHOLLAND said, there was no doubt that an Amendment had been accepted in Committee. It was, that where there was any special covenant or agreement in a lease with respect to any buildings or improvements, that should be taken into consideration. That was a perfectly right and fair provision, and in a Bill he introduced some years ago there was a similar Proviso. So many objections to the measure were raised in the North of Ireland, that he gave a pledge not to proceed with it, and it would be inconsistent if such a provision were now agreed to. As the Bill had been so long before the House, he trusted the hon. and learned Member for Limerick (Mr. Butt) would not press his Motion, but would allow the debate to proceed.

Major NOLAN confessed that although he had read the Amendment twice over, he could not understand it. He might do so after further consideration; and, therefore, he should support the hon. and learned Gentleman in his Motion.

Mr. T. DICKSON thought the House should proceed with the Bill. With regard to the words proposed to be added, he thought they would constitute a most injurious provision; because a tenant who took a lease for building was not to be entitled to have the buildings taken into consideration in dealing with his tenant-rights. He thought such a provision would endanger the Bill; whereas, if it were allowed to go through the House in the form in which it was introduced, it would settle points upon which a great grievance had arisen in the North of Ireland. He should suggest that the Motion should be withdrawn.

Mr. ERRINGTON considered that the House should have a further opportunity of discussing the very important Amendment which had been proposed.

Question put.

The House *divided:*—Ayes 19; Noes 52: Majority 33.—(Div. List, No. 198.)

Motion made, and Question proposed, "That this House do now adjourn."—(*Sir Joseph M'Kenna.*)

Sir HENRY JAMES thought there had been some misunderstanding with regard to the Bill. He apprehended that when the Bill was in Committee, an Amendment was moved to add to Clause 2, a Proviso—

> "That the Court, in determing the amount of compensation to be awarded to any person claiming under the Bill, should take into consideration in the construction of his lease the rent at which he held, and any stipulation as to erection of buildings or making other improvements."

That was felt by those taking the tenant's view of the question to be rather harsh, as it shut out every leaseholder from the benefit of the Bill. He now understood that an agreement had been made in relation to that provision. The Amendment which he held in his hands had never been printed, and was before no Member of the House who had not a manuscript copy. This mitigated Amendment, which was moved in Committee, limited the reduction of claim that should take place to any express stipulation or covenant for the erection of buildings, or for farming improvements. He thought the Amendment should be made clearer in its provisions, and, as it had not been printed, he should suggest that the debate should be adjourned. In the meantime, it would be well for the Amendment to be more clearly and explicitly drawn.

Lord ARTHUR HILL-TREVOR said, after the speech made by the hon. and learned Member opposite, he thought there would be some difficulty in the matter; and, therefore, he thought the best thing to do would be to ask the House to adjourn the discussion until Monday.

Mr. BUTT wished to say, that, in the course he had taken, he had not had the slightest wish to obstruct the Bill. The last Amendment was perfectly hostile, and would destroy the whole principle of the Bill. The Committee, to whom the Bill had been referred, ought to take the responsibility of that Amendment on themselves; whereas they allowed that Amendment to come from the hon. Member for Nottingham (Mr. Isaac), who knew as much about tenant-right in Ireland as he (Mr. Butt) did of the municipal affairs of Nottingham. The Amendment ought to be printed before it was discussed; and he thought it a suspicious thing that those who brought in the Bill did not take the responsibility of it.

Mr. MULHOLLAND desired to say a few words why the Amendment accepted in Committee was not brought before the House. That Amendment certainly ought to have been printed, and placed in the hands of Members; but he presumed hon. Members were aware of the fact of the Amendment being accepted when the Bill was in Committee. When the Bill was in Committee, the Amendment was moved, not by one of its promoters, but by the same hon. Gentleman who had proposed it that night, and he was persuaded to modify it and again bring it before the House, which he had done.

Mr. ISAAC said, his position in the matter was a very peculiar one. Although he proposed the Amendments, they were really Amendments of owners of large property in Ulster—because if the Bill passed as it was originally brought in, landlords who had let property on long leases and on favourable terms, as the tenants were to do the improvements, would, at the expiration of those leases, have to pay compensation for improvements practically allowed for in the reduced rents paid and the long leases granted. When the Bill was unexpectedly brought before the Committee in the absence of the hon. Baronet the Member for Maidstone, he moved the Amendment, which was accepted by the promoters, after having been modified. On the Report it was proposed to omit the words added in Committee, which, being opposed, the Report was postponed. In consequence of that, the Bill had stood over, and it was somewhat unfortunate that the hon. and learned Member (Mr. Butt) had not been in his place to watch its progress. His Amendment, which had been accepted by the promoters of the Bill, was designed to benefit the owners of large property in the North of Ireland, whose interests the House was bound to protect as well as those of other landlords or tenants.

Mr. MACARTNEY wished the hon. Member for Nottingham would make himself acquainted with the leases granted by the Landed Companies in the North of Ireland, and then he would not think they would be injured by this Bill. These Companies stood exactly in the same position as other landlords, inasmuch as when a lease expired there was always a re-arrangement of the rent, and if it was considered too low, it was raised. He hoped the hon. and learned Member for Limerick would pursue his intention of opposing the Bill at this stage. It would be impossible to understand the Amendment until it was printed.

Motion, by leave, *withdrawn.*

Major NOLAN suggested to the hon. Member for Nottingham, whether the Amendment should not be printed in his name, and not in the name of the hon. Member for Londonderry (Mr. Charles Lewis). The hon. Member for Nottingham had told the House that he represented the Estate Companies in the North of Ireland, and therefore they could only be represented indirectly by the hon. Member for Londonderry.

MR. BUTT said, unless the Amendment was printed its effect could not be understood. Before the Report, the Bill, as amended, should be printed.

MR. ASSHETON CROSS said, he thought the object of his hon. and learned Friend the Member for Limerick would be entirely gained, when he said the Amendment would appear in the Notice Paper every day the Bill appeared.

SIR HENRY JAMES said, he understood that it was now proposed to strike out the Amendment as accepted by the Committee; but he would remind the House that, having been accepted, it was no longer an Amendment.

MR. BUTT said, he proposed to deal with that which originally was an Amendment.

Further Proceeding on Consideration, as amended, *deferred* till *Monday* next.

HABITUAL DRUNKARDS [EXPENSES].

Committee to consider of authorising the payment, out of moneys to be provided by Parliament, of any Expenses which may be incurred under the provisions of any Act of the present Session to facilitate the control and cure of Habitual Drunkards (Queen's *Recommendation* signified), upon *Monday* next.

House adjourned at a quarter before One of the clock till Monday next.

* * *

HOUSE OF LORDS,

Monday, 8*th July*, 1878.

MINUTES.]—PUBLIC BILLS—*First Reading*—Foreign Jurisdiction * (147); Idiots, &c. (Ireland) * (148); Marriage Preliminaries (Scotland) * (149).

Second Reading—Statute Law Revision * (114); Supreme Court of Judicature Act (Ireland), 1877, Amendment (139).

Committee—Report—Parliamentary and Municipal Registration (Consolidated) * (125).

Report — Telegraphs * (142); Metropolis Management and Building Acts Amendment * (145); Local Government Provisional Orders (Abergavenny Union, &c.) * (116); General Police and Improvement (Scotland) Act, 1862, Amendment * (124).

Third Reading—Local Government Provisional Orders (Dawlish, &c.) * (121), and *passed.*

CRIMINAL CODE (INDICTABLE OFFENCES) BILL.—QUESTION.

LORD SELBORNE said, he wished to ask his noble and learned Friend on the Woolsack a Question relating to a matter of considerable public interest on which he had been in communication with him. It was, Whether he had reason to believe that the Bill introduced by the Government in "another place" for establishing a Code of Indictable Offences would come before their Lordships in the present Session; and, if not, what course the Government intended to pursue in regard to it?

THE LORD CHANCELLOR said, the question to which his noble and learned Friend had referred was, no doubt, an extremely important one. Her Majesty's Government had, as perhaps their Lordships were aware, introduced into the other House of Parliament a Bill of unusual magnitude dealing with the whole subject of indictable offences. The measure would repeal the whole of the present Statute Law in that matter, and substitute a Code. It also expressed and set out the whole of the Common Law on the same subject, and added a complete and new mode of procedure in regard to indictable offences; so that, if the measure should pass into law, it would constitute in itself one complete Code in that, the principal portion of the Criminal Law of this country. The only part of the Criminal Law not covered by it would be that relating to summary jurisdiction. The Bill was of great magnitude, and consisted of 425 sections. Of course, it had been the subject of very anxious consideration by Her Majesty's Government as to how a measure of this kind could be best proceeded with, and passed into law either in this or some subsequent Session. From the description he had given of the measure, their Lordships would probably be of opinion that it would be scarcely possible to suppose that, either in this or the other House, it could obtain adequate consideration and criticism in detail. Of course, at some periods of the Session, it might be possible to refer the Bill to a Select Committee; but, on the other hand, it was scarcely to be expected that any Members of either House of Parliament could give the time and attention which would be necessary in order effectually to examine and criticise a measure of such importance and magnitude in Committee. So, again, in regard to the proposal which had been made that the measure should be referred to a Royal Commission, if it were submitted to a Royal Commission of the ordinary kind consisting of persons probably occupied with other important labours and meeting at intervals, it was scarcely to be supposed that such a body could bestow the necessary amount of time and consideration on the measure. In regard to the preparation of the Bill, he could only say that his learned Friend Sir Fitzjames Stephen, who had been the draftsman, had devoted himself to it with a degree of labour and learning of which it was impossible for him to speak too highly. The Law Officers of the Crown, so far as it had been in their power, had also examined the Bill at every stage during its preparation; but they all felt that it would be too much to ask Parliament to accept a measure, however carefully prepared, on the faith of those who had been engaged in it. Under these circumstances, Her Majesty's Government had determined to adopt a course which he hoped would be satisfactory to Parliament, and would lead to the early passing of this Bill into law. They had determined to appoint a Royal Commission, consisting of three persons, who, during the months of November, December, January, and February next, had undertaken to devote the whole of their time, so far as might be necessary, to the examination and revision of this great measure. Of course, it would not be further proceeded with in Parliament that Session. He would mention the names of the Royal Commissioners, which he had no doubt would give satisfaction to their Lordships. He was glad to say his noble and learned Friend (Lord Blackburn), considering the state of Appeal Business in their Lordships' House, remembering that that Business was not so heavy during the months named as during other periods of the year, and relying on his (the Lord Chancellor's) assurance that other learned Friends would relieve him of his duties in that House for the four months in question, had agreed to act as Chairman of the Commission. Mr. Justice Lush, one of the most learned and experienced Judges on the Bench, had also agreed, in consideration of being relieved from his more urgent judicial duties during the same time, to devote his services to the Commission; the third Member of which would be Sir Fitzjames Stephen himself, the author and draftsman of the Bill. Those learned persons—and he must offer the tribute of his own gratitude to them for the spirited way in which they had undertaken the task—would, from November to February, devote themselves to an earnest examination of the measure; and he trusted that when that had been done, they would not be disappointed in the expectation that Parliament, so far as regarded all matters of expression and mere detail, would put a very considerable amount of reliance on the work which they had accomplished.

TURKEY—REPORTED DEFENSIVE TREATY WITH TURKEY.—QUESTION.

EARL GRANVILLE said, he had a Question to put to the noble Duke the Lord President of the Council, as to a statement which had been made by *The Daily Telegraph*, apparently with some authority, to the effect that Her Majesty's Government had concluded a Defensive Treaty with the Sultan of Turkey, by which Great Britain guaranteed the maintenance of the Asiatic Dominions of the Sultan, and acquired the right to occupy and administer the Island of Cyprus, together with large facilities and privileges which would enable her to act as the protectress and civilizing guardian of that country. He wished to know if the noble Duke could confirm or deny the statement?

THE DUKE OF RICHMOND AND GORDON said, he had better read a statement in reply to the Question put to him by his noble Friend. He had to say that, in view of the retention by Russia of a portion of the Asiatic territory of the Porte, a conditional Convention was entered into on the 4th June last between Her Majesty and the Sultan, to the effect that—

> "If Batoum, Ardahan, Kars, or any of them, shall be retained by Russia, and if any attempt shall be made at any future time by Russia to take possession of any further portion of the Asiatic territories of the Sultan, as fixed by the definitive Treaty of Peace, England engages to join the Sultan in defending them by force of arms. In return, the Sultan promises to England to introduce necessary reforms (to be agreed upon later between the two Powers) into the government and for the protection of the Christian and other subjects of the Porte in those territories; and in order to enable England to make necessary provision for executing her engagement, the Sultan further consents to assign the Island of Cyprus to be occupied and administered by England. If at any time Russia shall surrender to the Porte the territory it has acquired from Turkey in the recent war, these stipulations shall cease to operate, and the Island will be evacuated."

Under that Convention—the conditions upon which it was made having now arisen—a Firman had been issued by the Porte, authorizing the transfer of the Island to England. Possession would be at once taken, and the Island administered on the part of Her Majesty; and he had to add that Her Majesty had been graciously pleased to appoint Sir Garnet Wolseley to administer the government of the Island. He would lay the Papers on the Table that night.

METROPOLIS — HYDE PARK — SHELTERS.

QUESTION. OBSERVATIONS.

THE DUKE OF RUTLAND asked Her Majesty's Government, Why the gravel which had usually been laid down between the Marble Arch and Hyde Park Corner, and between the end of Rotten Row and Queen's Gate, had not been laid down this year; and whether there was any objection to building shelters in case of rain in Rotten Row and Battersea Park? In regard to the question of gravelling, he knew that one reason assigned for discontinuing the practice was that pedestrians objected to it; but he would appeal to the experience of their Lordships, as to whether newly-watered macadam did not splash a good deal more than gravel?—as his noble Friend the Lord President of the Council would find if he would stand whilst somebody cantered by. If gravel did splash, then he would suggest that that objection might be obviated by the use of a little tar, or tan and sand. In regard to the question of shelters, he really believed the erection of such places would be a very great accommodation to those who frequented the Park. The cabmen had their shelters, and deservedly so; but he wanted to know why ladies and gentlemen should not also have the benefit of similar conveniences? He could only conceive two objections. One would be on the score of expense; but the question of usefulness would so far over-balance that, that he need not further refer to it. The second objection was, that shelters would be unsightly. He had been told that a large building in the middle of the park would not only be very hideous in itself, but would be also very much in the way. He, however, did not wish for such a building. What he asked was, that there should be some light, ornamental buildings on the side of the Park, which might be convenient for pedestrians as well as equestrians. Instead of one shelter, they might have half-a-dozen, and he believed it could be managed without difficulty. Of course, it was very easy to build ugly places. That was demonstrated every day, and the new barracks formed a case in point; but it was also possible to erect ornamental buildings, and nothing could be more simple than the plan he had suggested.

THE DUKE OF RICHMOND AND GORDON said, the noble Duke had given satisfactory answers to his own Questions, and had shown why the proposals he made could not be carried out. The noble Duke had been quite correct in his surmise as to the reason why there was no gravel on the side of the Park between the Marble Arch and Hyde Park Corner. The First Commissioner of Works received so many complaints as to the great inconvenience to pedestrians which arose from gravel being placed in that part of the Park, that last year and this year the practice had been discontinued. His noble Friend considered that pedestrians would be more splashed by newly-watered macadam than by gravel; but he should have thought his great hunting experience would have taught him that people were less likely to canter on hard macadam than on soft gravel. The noble Duke also forgot that there were some parts of the Park made soft for the use of equestrians who, if they wished to canter, could do so round the North side of the Park, or if they preferred Rotten Row they could select that portion in front of the barracks. In regard to the second part of the noble Duke's Question, he had also answered himself correctly. Shelters could not be put up without incurring considerable expense, and as they would have to be large enough to accommodate hundreds of horses, they must necessarily be unsightly. As to the proposal that the shelters should also be occupied by pedestrians, if the noble Duke were a pedestrian he would find himself in a rather uncomfortable position when boxed up with a lot of restive horses.

The Duke of RUTLAND explained that his proposal was to have separate shelters for equestrians and pedestrians. In the latter case, the structure would be raised slightly from the ground.

The Duke of RICHMOND and GORDON replied, that that would increase the amount of accommodation to be provided, and would, therefore, strengthen his objection. The noble Duke had spoken of the new barracks as unsightly; but he could have no idea of what they would be when the scaffolding was removed and they were in a finished state.

Lord TRURO hoped the subject would be further considered. In Paris, in the Bois de Boulogne shelters were provided.

Earl GRANVILLE did not think the Question had been sufficiently answered. He should like to see our Parks made more attractive than they were now, and he hoped the noble Duke (the Duke of Richmond and Gordon) would consult the right hon. Gentleman the First Commissioner of Works who had charge of the matter, and see whether something could not be done to meet the very reasonable wish expressed by the noble Duke who put the Question.

Earl FORTESCUE did not think the gravel was open to the objections urged against it. The walk was very wide, with plenty of room for pedestrians to get out of the way of the splash, if there really was any; but his experience was that they crowded up along the rails against the road to see and be seen.

DUBLIN UNIVERSITY COMMISSION—THE REPORT.—QUESTION.

The Earl of BELMORE asked the Lord President of the Council, When it is probable that the Report of the Dublin University Commissioners, which was presented to the House on the 13th May last, will be distributed to Members of the House? Eight weeks had elapsed since the Report had been laid on the Table. It dealt mainly with two subjects, one relating to the Divinity School, the other to the question of promotion amongst the Fellows. The Home Secretary had given permission for the Report to be communicated, as soon as it was laid before Parliament, to the bodies especially interested—namely, the Board of Trinity College and the Divinity School of the Church of Ireland. The part particularly relating to the latter had been communicated in regular course to the Press; but as regarded the other part, an inaccurate version had gone abroad. He did not expect, at this late period of the Session, that any discussion would take place; but the matter was of considerable importance, and he thought the Report should be, as soon as possible, in the hands of the public.

The Duke of RICHMOND and GORDON said, he had made inquiries in Ireland in order that he might answer the Question, and the information he had received was that 1,000 Copies of the Dublin University Commissioners Report had been despatched from Dublin last night, and that the rest would follow to-night. He hoped that in the course of two or three days, at the most, it would be in the hands of their Lordships.

SUPREME COURT OF JUDICATURE ACT (IRELAND), 1877, AMENDMENT BILL.

(*The Lord Chancellor.*)

(No. 139.) SECOND READING.

Order of the Day for Second Reading, read.

The LORD CHANCELLOR, in moving that the Bill be now read the second time, said, it was simply meant to remedy a slight defect in the Act, so as to enable certain Judges to go on Circuit, who, under the Act, could not have done so.

Motion *agreed to;* Bill read 2^a accordingly, and *committed* to a Committee of the Whole House *To-morrow.*

FOREIGN JURISDICTION BILL [H.L.]

A Bill for extending and amending the Foreign Jurisdiction Acts—Was *presented* by The Lord Chancellor; read 1^a. (No. 147.)

House adjourned at a quarter before
Six o'clock, till To-morrow,
half past Ten o'clock.

HOUSE OF COMMONS,

Monday, 8*th July*, 1878.

MINUTES.] — NEW MEMBER SWORN — John Roberts, esquire, *for* the Borough of Flint.

PRIVATE BILLS (*by Order*)—*Lords Amendments considered*—East Retford Borough*.

PUBLIC BILLS—*Ordered—First Reading*—Irish Church Act (1869) Amendment (No. 2)* [244]; Wormwood Scrubs Regulation* [243]; Turnpike Acts Continuance, &c.* [245].

First Reading—Prisons Authorities Act (1874) Amendment* [246].

Second Reading — Bishoprics [197]; Municipal Corporations Acts [238], *debate adjourned.*

Committee—Contagious Diseases (Animals) [204] —R.P.

Committee — *Report* — County of Hertford (*re-comm.*)* [240]; Freshwater Fish Protection (*re-comm.*) [235].

Considered as amended—Tenant Right (Ireland) [31].

Third Reading—Commutation of Tithes* [222], and *passed.*

Lords Amendments considered—Poor Law Amendment Act (1876) Amendment [134].

QUESTIONS.

TURKEY—CRETE AND MITYLENE.

QUESTION.

MR. HAYTER asked the Under Secretary of State for Foreign Affairs, in the absence of the Chancellor of the Exchequer, from a cause which all would regret, Whether he has any further information to give to the House respecting the protracted hostilities in Crete; whether the Despatch of Mr. Baring from Constantinople on Monday evening last, and the sailing of three war vessels from Suda Bay under Lord John Hay, had any reference to the character of the struggle now going on in the neighbourhood of Canea; and, whether there is any apprehension of fresh disturbances in the Island of Mitylene? In explanation of his Question, he would, with the permission of the House, read the following telegram from Athens, which appeared in *The Times* of Friday last:—

> "Official despatches from Crete state that the Turkish authorities are unable to preserve order at Canea and Rethymo, where the Mahommedan population continue to maintain a threatening attitude. A French war vessel and the British gunboat "Coquette," have, in consequence, entered the harbour of Canea, and the British iron-clad "Defence" has gone to Suda Bay, at the request of Hussein Pasha. The Mahommedans of Rethymo, demanding the dismissal of the Governor, and threatening the Christians, two Turkish men-of-war have been sent thither conveying the Superintendent of Police at Canea, with instructions to use the best means to prevent any outbreak of the Mahommedans."

MR. BOURKE: Sir, further Papers on the affairs of Crete will be laid on the Table at once, and will be in the hands of Members very shortly, as only one or two clerical errors remain to be corrected. In reference to the telegram read by the hon. Gentleman from *The Times*, all I have to say is, that according to the latest advices from the Consul at Canea, all is again quiet in that neighbourhood; but owing to disturbances that had taken place elsewhere, some alarm was felt, and a vessel of war had been despatched to the neighbourhood, affairs being supposed to require it. We have no account of disturbances since the 30th June. Neither Mr. Baring's despatch from Constantinople, nor the sailing of the war vessels from Suda Bay under Lord John Hay was in connection with Cretan affairs. We have no reason to suppose there is any danger of fresh disturbances in the Island of Mitylene.

CRIMINAL LAW (IRELAND)—CASE OF EDWARD O'KELLY.—QUESTION.

MR. BIGGAR (for Mr. O'CONNOR POWER) asked the Chief Secretary for Ireland, If he has any objection to lay upon the Table of the House a Copy of the Memorial presented to the Lord Lieutenant on behalf of Edward O'Kelly, a prisoner now detained in Spike Island, and which was signed by eleven members of the jury by which he was tried and convicted, the said jury being the third which had to be empannelled in his case?

MR. J. LOWTHER: Sir, I find it has been the invariable practice not to produce such documents as the one referred to; and I, therefore, regret that I am unable to lay it upon the Table.

PEACE PRESERVATION (IRELAND) ACT, 1870—SEARCHES FOR ARMS.—

QUESTIONS.

MR. BIGGAR (for Mr. O'CONNOR POWER) asked the Chief Secretary for

Ireland, Whether he is aware that the police recently entered the house of Mr. Patrick Hastings, of Louisburgh, county Mayo, at a very inconvenient hour, and made a search of the premises under circumstances similar to those already described to the House in connection with the searches of Tuam and Ballinasloe; and, if he will now, or at an early day, indicate the nature of the information upon which, in each case, the Lords Justices ordered the searches to be made?

Mr. J. LOWTHER: Sir, a search was, I understand, made under the conditions alluded to by the hon. Member. I am sorry, however, to be unable consistently with public interests to afford the information he asks for.

Major NOLAN asked the Chief Secretary for Ireland, If he can now state whether the houses of Mr. Matthew Harris and of Mr. M. O'Sullivan were searched on the 14th of June for documents; if more particularly he can state if Constable Egan and Sub-Constable Judge examined and read manuscript papers in the house of Mr. Harris, and if Sub-Constable Graham examined and read manuscript papers in the house of Mr. O'Sullivan; and, whether, he having stated that the police had no instructions to search for papers, it is the intention of the Government to punish the constables for having examined papers, or does the Government intend to adopt their acts?

Mr. J. LOWTHER: Sir, the houses referred to by the hon. and gallant Gentleman were searched on the 14th of June for arms, but not for documents. The constable and sub-constables the hon. and gallant Gentleman mentions by name state that they, in no way, concerned themselves with the nature of any documents found in the houses; but confined their attention exclusively to the sole object of the search, which was for arms and ammunition.

Major NOLAN wished the right hon. Gentleman would answer the Question whether the constables did examine and read papers?

Mr. J. LOWTHER: Sir, I thought what I said just now would have conveyed the information the hon. and gallant Gentleman asks for; but I may add that the constables, in reply to my inquiries as to what actually occurred, state that although it was necessary for them to turn over papers in order to satisfy themselves that no arms or ammunition were concealed under them, they took no notice of their contents; and one of the constables adds that he felt no interest whatever in any of the documents upon the premises, and would have declined to have read them even if asked to do so.

CATTLE DISEASE—IMPORTATION OF FOREIGN CATTLE.—QUESTIONS.

Sir CHARLES W. DILKE asked the Vice President of the Council, Whether he can lay upon the Table any Despatches from the British Ministers at Lisbon, Madrid, Copenhagen, or Stockholm, with regard to the proposal to slaughter foreign cattle at the port of entry: and, whether any representations on the subject have been made to Her Majesty's Government by the Government of France, or by Her Majesty's Ambassador at Paris?

Lord GEORGE HAMILTON, in reply, said, that two Despatches had been received from British Ministers abroad with regard to the proposed slaughter of foreign cattle on landing. One, from the Minister at Stockholm, had been printed and circulated already; the other, from the Minister at Lisbon, would be laid on the Table at once.

Mr. CHAMBERLAIN asked the Secretary to the Treasury, it having been stated that some cattle which had passed the inspector at Thames Haven had two days afterwards been attacked with foot-and-mouth disease, and had introduced the disease on the premises of a farmer named Preston at Romford, Whether his attention has been called to a letter from Mr. Preston in the "Times" of Thursday, in which it is stated that the disease from which Mr. Preston's cattle suffered was not derived from any foreign source, but broke out before the arrival of the animals passed by the inspector; and, whether he is now able to mention any case in which cattle which have been passed by an inspector at the port have afterwards turned out to have been diseased at the time?

Sir HENRY SELWIN-IBBETSON, in reply, said, it was difficult to answer the Question without entering at inconvenient length into details. The information he had given to the House was derived from a gentleman living close to Mr. Preston, who had been consulted by him as to the purchase of the Dutch cows, and who stated the facts from his own knowledge of what had happened. He confessed he was somewhat surprised at the letter of Mr. Preston, and all the more so because, according to a letter he held in his hand, on the day before the letter appeared in *The Times*, Mr. Preston stated, in conversation in a railway carriage, that the Dutch cows had foot-and-mouth disease, and had given it to his milch cows. A gentleman who had heard the conversation had written upon the letter—"I confirm the writer's statements." He could hardly reconcile Mr. Preston's published letter with the facts thus placed before him, and he must leave the House to form its own judgment. Evidence was given before the Committee of 1873 of a case which happened in 1872 of diseased cattle being passed by the Inspector, and the particulars would be found in the answer to Question 12,911, and those that followed.

MR. GOSCHEN asked, whether, as it appeared to be a question of evidence, and as Mr. Preston had written in his own name, the hon. Gentleman would state the name of the other gentleman?

SIR HENRY SELWIN-IBBETSON said, that the gentleman who had written the letter to him was well known to Members of the Committee on this subject—namely, Mr. Robinson. [*A laugh.*] Although an hon. Friend laughed at that, he did not think that the House would agree that a gentleman who stated a matter of fact was not deserving of credit. That gentleman's statement was borne out by the signature of another gentleman, who had travelled with him in the same train.

MR. W. E. FORSTER asked, was he correct in understanding that the facts were within the knowledge of an hon. Member?

SIR HENRY SELWIN-IBBETSON said, he was excessively sorry if he had misled the right hon. Gentleman or the House. What he had stated was that the facts were confirmed by another gentleman who was travelling in the same train, and who certified to the facts.

MR. W. E. FORSTER asked the Secretary to the Treasury, Whether he will lay upon the Table of the House The Orders of Council now in force in Great Britain under "The Contagious Diseases (Animals) Act, 1869;" the General Orders which the Privy Council intend to issue to carry out the provisions of the Bill now before Parliament with regard to pleuro-pneunomia and foot-and-mouth disease, especially those contemplated in the third and fourth Schedules of the Bill; the Orders in Council now in force in Ireland under the Irish Contagious Diseases (Animals) Acts, and also the General Orders contemplated for Ireland under the present Bill with regard to pleuro-pneumonia and foot-and-mouth disease?

SIR HENRY SELWIN-IBBETSON, in reply, said, the Government had no objection to lay upon the Table the Orders of Council now in force in Great Britain under "The Contagious Diseases (Animals) Act, 1869." With regard to the second point, as the Bill had not passed, and as the House, therefore, had not yet decided upon the form in which the clauses affecting the home trade should be carried, the Privy Council had not drawn up such orders, and could not draw them up until they knew what the terms of the Bill were. As to the third part of the Question, he should be happy to place the Orders on the Table.

MR. W. E. FORSTER asked, Whether the Orders would be placed on the Table at once, or whether he should move for them?

SIR HENRY SELWIN-IBBETSON: I shall place them on the Table myself at once.

SIR FREDERICK PERKINS asked the Secretary to the Treasury, Whether he would have any objection to furnish a Return of the number of cattle imported into Southampton from Spain and Portugal during the last five years, with a Statement showing the number of cases in which Contagious Diseases have been reported?

SIR HENRY SELWIN-IBBETSON, in reply, said, that the annual Reports of the Veterinary Department contained the information desired; and, therefore, he thought it would not be well to reprint it. At the same time, if the hon. Member conferred with him it would save trouble, and the information he desired would be placed at his disposal.

MERCANTILE MARINE — TRAINING SCHOOL SHIPS BILL.—QUESTION.

Captain PIM asked the President of the Board of Trade, Whether his attention has been called to the speech of Lord Shaftesbury when distributing the prizes earned by boys on board the training ships "Arethusa" and "Chichester" on the 3rd instant, when he is reported to have said—

> "In considering the vast rising population of this country, he lamented that more than two-thirds of the sailors employed by English shipowners were foreigners, and these, as a rule, were not so good seamen as Englishmen, and they would desert us in case of war;"

and, whether, with a view to a remedy in some measure for this alarming state of affairs, he will give any encouragement to the Training Schools and Ships Bill for second reading on Wednesday next, the object of that Bill being to replace the large foreign element in our Mercantile Marine with British seamen?

Viscount SANDON: Sir, I fear that in the pressure of Business my attention has not been called to the speech to which the hon. and gallant Gentleman alludes. With respect to the Bill for training school ships, it was always, I believe, opposed by my noble Friend Lord Norton, who preceded me at the Board of Trade; and if the hon. and gallant Gentleman presses it now, I should feel obliged to take the same course. During the autumn I shall consider his Bill and shall hope to give him my personal opinion respecting it next Session.

SALE OF INTOXICATING LIQUORS ON SUNDAY (IRELAND) BILL.

QUESTIONS.

Mr. R. POWER asked the honourable Member for Roscommon, If, having regard to the pressing importance of the Intermediate Education (Ireland) Bill, he would be willing to accept Monday the 15th for the consideration of the Amendments on Consideration of Sale of Intoxicating Liquors on Sunday (Ireland) Bill, so as to allow the former Bill to be brought forward on Thursday the 11th, provided, of course, that Mr. Chancellor of the Exchequer will accede to the proposed arrangement?

The O'CONOR DON: Sir, My hon. Friend asks me a Question with regard to the order of precedence of two Bills, one of which is in my charge, and the other not yet, I believe, introduced into this House; but which, when it does come here, will be in charge of the Government. I think, Sir, it is rather unusual for an hon. Member to ask that precedence should be given to a Bill of which he is not in charge; and were such a request as is implied in the Question of my hon. Friend to be made at all, I should rather have expected that it should come from the Chancellor of the Exchequer. I can assure the House that any request coming from the right hon. Gentleman would receive from me every consideration, and that I would be most willing to confer with him on any suggestion likely to facilitate the progress of Public Business. But the request on this occasion does not come from him; and I think I might, therefore, if I wished, decline to answer what I may fairly term the unauthorized Question of my hon. Friend the Member for Waterford. However, Sir, I will not do so. I am very glad to find that my hon. Friend takes such a deep interest in the progress of the Intermediate Education Bill—an interest which I can assure him is shared in by me. My hon. Friend desires that the second reading of that Bill should be taken on Thursday next. I share also in that desire, and I see no reason why our mutual wish should not be gratified without any alteration of arrangements previously made. The Bill which is in my charge has been before the House since the commencement of the Session. It has undergone the most searching investigation and criticism, and more than 43 hours have been spent this year in dealing with its merits or defects.

Mr. REPTON inquired, whether the hon. Member was within his right in going into details outside the Question addressed to him?

Mr. SPEAKER: I think the hon. Member for Roscommon is travelling beyond the limits of a reply, and is entering into matters of debate which are irrelevant to the Question asked. I trust the hon. Member will confine his remarks to a simple reply.

The O'CONOR DON: I only, Sir, wish to explain that as the Sunday Closing (Ireland) Bill, of which I have had charge since the beginning of the Session, has been already discussed for 43 hours this Session, it seems to me that the next stage of the Bill ought not to occupy much time. I think, therefore, if the Intermediate Education Bill is placed as the second Order next Thursday, if my hon. Friends wish it, we shall be able to get through my Bill and the other measure as well, and I will do all I can to promote this result; and, under the circumstances, I do not see any reason for altering the arrangements made by the right hon. Gentleman the Chancellor of the Exchequer.

THE EASTERN QUESTION—RUMOURED CONVENTION BETWEEN ENGLAND AND TURKEY.—QUESTIONS.

THE MARQUESS OF HARTINGTON: In the absence of the Chancellor of the Exchequer — and in the cause of his absence we all, I am sure, join in the regret expressed by my hon. and gallant Friend the Member for Bath (Mr. Hayter)—I beg to put a Question to the Secretary of State for the Home Department. I wish to ask him, Whether he is able to confirm the statement which appeared in one of the papers this morning, to the effect that a defensive Treaty has been concluded between this country and Turkey, by which the Asiatic dominions of the Sultan are guaranteed by this country; and, whether in carrying out this arrangement it is intended that the Island of Cyprus shall be occupied by British troops?

MR. ASSHETON CROSS: Sir, in the view of the retention by Russia of a portion of the Asiatic territories of the Porte, a conditional convention on the 4th of June last was entered into between Her Majesty and the Sultan to the following effect:—

> "If Batoum, Ardahan, Kars, or any of them, shall be retained by Russia, and if any attempt shall be made at any future time by Russia to take possession of any further portion of the Asiatic territories of the Sultan as fixed by the definitive Treaty of Peace, England engages to join the Sultan in defending them by force of arms. In return, the Sultan promises to England to introduce necessary reforms—to be agreed upon between the two Powers—into the government of the Christian and other subjects of the Porte in those territories. And in order to enable England to make the necessary provision for executing her engagement, the Sultan further consents to assign the Island of Cyprus to be occupied and administered by England. If the Government of Russia should at any time surrender to the Porte the territory it acquired in Asia by the recent war, the stipulations in the Convention will cease to operate, and the island will be evacuated."

Under this Convention, the condition on which it is founded having now arisen, a Firman has been issued by the Porte authorizing the transfer of Cyprus to England, and possession of the Island will be at once taken, and the Government administered on behalf of Her Majesty. Her Majesty has been pleased to appoint Sir Garnet Wolseley to administer the government of the Island. I have only to add that Papers in reference to the subject will be laid on the Table of the House in the course of the evening.

THE MARQUESS OF HARTINGTON: As the right hon. Gentleman has stated that Papers on this subject will be laid on the Table this evening, there is only one further Question I wish to put to him. I wish to ask, Whether this Convention which he has just read has been communicated to the Congress, or to the other European Powers.

MR. ASSHETON CROSS: If the noble Lord will be good enough to put the Question down, I will answer it to-morrow.

MR. GLADSTONE: I take the liberty of asking the right hon. Gentleman a Question, for the purpose of clearing up what does not appear to me to be clear in the language of the document he read, and which I have no doubt he will be able to clear to-morrow or now. In the first part of the document, I think, he spoke of the "consent" of the Sultan, and the "engagement" of the Sultan, as to Cyprus being occupied and administered by England. Those words I do not understand would apply to a transfer of Sovereignty; but in the latter part of the document the expression "transfer of the Island" was used. Perhaps now or to-morrow the right hon. Gentleman will be kind enough to explain, whether there is to be any transfer of Sovereignty, or whether the existing Sovereignty will remain in force.

MR. ASSHETON CROSS: The right hon. Gentleman will see by the Papers exactly how that stands. They will leave no doubt about it whatever.

ORDERS OF THE DAY.

CONTAGIOUS DISEASES (ANIMALS) BILL [*Lords*] — [Bill 204.]

(*Sir Henry Selwin-Ibbetson.*)

COMMITTEE.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."—(*Sir Henry Selwin-Ibbetson.*)

Mr. W. M. TORRENS, in rising to move—

> "That, having regard to the greatly enhanced price of animal food, this House is not prepared to adopt any measure which may tend further to diminish the supply of cattle from abroad,"

said, his constituents had no interest directly in agriculture; but they had no wish to shut their eyes to any fair claim for protection on the part of agriculturists against cattle disease. All they asked was, that it should be shown, before a particular Bill was adopted, that it was absolutely necessary, and that they could afford to pay the price for it. Now, it was admitted by the Secretary to the Treasury that the price would have to be borne in great part by the consuming portion of the community. It was, the Secretary to the Treasury stated, a consumer's question; and he added that unless it could be shown that the measure proposed by the Government was compatible with the well-being of the consumers of meat, he could not expect the House to adopt it. If they conceded that some Bill was necessary, and that there was a danger to be provided against, he was prepared to submit to the House, that in existing circumstances the working classes in the great towns of the United Kingdom were not in a position to pay an increased price for meat, and that so stringent a measure as that proposed ought not to be passed. The present was an unfortunate time for the introduction of the Bill. Employment was slack, wages were low, the cost of living was higher than it had been for many years; and the working classes could, therefore, very ill afford an additional charge for a prime necessary of life. He was in a position to show, too, from documents prepared without reference to the present controversy, that within the last 20 years the population of London had increased by one-third, while the means of habitation had increased only by a quarter; and that, notwithstanding the vigorous efforts made by a private Member in 1868 and by Her Majesty's Government in 1874 to grapple with the evil, by providing better house accommodation for the masses of the population of the Metropolis, not only was the accommodation wholly insufficient, but rents had risen greatly, and it appeared that in 25 years the valuation had swelled from £11,283,000 to upwards of £23,000,000; so that, for less accommodation, the industrial community were paying more than double the rent. It was well known that as men were aggregated together, compelled to work in close workshops, and to live in confined rooms, where they must, of necessity, re-inhale the air which they had themselves breathed, or which had been breathed by members of their families, it was necessary that, in order to repair the damage done to their constitutions, they should be enabled to procure at the lowest possible price a sufficient supply of nourishing food. In London, especially, owing to increase in the population, the possibility of working people getting an abundant supply of pure air—the first necessity of life—was growing less and less; and he, therefore, thought Parliament ought to hesitate before taking a step which might disable the people from procuring, at a reasonable price, a sufficient supply of wholesome food. He felt sure that if many Members of the Government were free to express their own opinions, and were not bound by feelings of loyalty to the Administration of which they formed a part, they would say that they had no real love for this Bill. They must know that it was a leap in the dark, and that no persons of character and weight had expressed opinions in its favour. The Lord President of the Council had stated that he believed any advance in the price of food that might take place on the passing of the measure would not be very serious; but any advance, however small, would be to the working man, who only earned 30*s.* a-week, of the most serious character. All that the Secretary to the Treasury could say in its favour was, that this being a consumers' question, he had a confident hope that the effect of rendering Continental cattle contraband would be that in the course of 10 years the amount of stock in this country would be equal to what it was at present, as if the population would stand still, and no greater supply of food would be required. At the bottom of all this was lurking the old delusion of Protection—namely, that by keeping out a certain amount of foreign cattle, they would stimulate the production of home stock. Everyone who had considered the supply of food, whether in the shape of meat or grain, had agreed in thinking that it would be impolitic for the Government to undertake the regulation of the supplies, and that the provision of what was necessary in the shape of food should be left free and open to all the markets of the world. The present Bill had been essentially altered since it was introduced in the other House of Parliament, and the alterations which had been made tended in a direction which ought to have been followed some years ago, if the Government thought any alteration at all was necessary. As, however, some legislation was thought indispensable, he hoped the Government would be able to make some concession, which would put an end to the controversy that had for a long time prevailed in reference to this question. He had seen the most worthless measures carried by majorities. He had once preferred to risk the loss of his seat rather than join with the majority bent on passing a foolish measure. When it passed, it was never executed by the Government of the day, or by any of their successors; and not very long ago he had the satisfaction of seeing it repealed. Similar would be the result in this matter, if they passed this measure against the deliberate opinion of the nation. The towns had a right to be heard, not exclusively, but in bar of the progress of this measure, which they regarded as injurious to their interests. It would be a dangerous thing to put one's hands between the working men's knife and fork and their teeth. This Bill, that had come down from a House that was especially a House of landlords, was viewed with suspicion, distrust, and bitterness by the inhabitants of large towns. In the division upon the second reading of the Bill, a few nights since, 30 hon. Members were counted in its favour who sat for obscure villages and grass-grown market towns, the aggregate of whose population—electors and rateable property—were each and all inferior to that of one of the parishes included in the metropolitan borough which he had the honour to represent; and whose Petition he had that day presented to the House against the anti-free-trade tendency of the Bill. At the present moment, discontent was rife, and it was not wise to try an experiment like this. His feeling about the Bill was, that it came condemned by the irresolution and timidity of its authors, who did not know really whither they were going. The people whom he represented were suspicious, vexed, distrustful, and angry at this Bill. He knew enough of what was going on out-of-doors to justify him in warning the House that it would be dangerous to meddle with the people's food. They might touch what else they pleased, and trifle with what else they would; but let them abstain from this step, which, if unfortunately they took, they would have to retrace it ere long. The hon. Member concluded by moving his Resolution.

MR. CHARLEY, who had a Motion on the Paper for the House to resolve itself into a Committee on the Bill on that day three months, said, he would second the Amendment of the hon. Member for Finsbury. In many respects it was a good Bill; but he objected to the compulsory slaughter of animals at the outports, and he would rather have no Bill at all than a Bill containing those clauses. The right hon. Gentleman the Secretary for the Colonies had asked the House to accept this Bill, because it was based on the recommendations of a large and representative section of the Select Committee. The hon. Member for South Norfolk (Mr. Clare Read) bestowed his benediction upon that Committee and upon its Report. He (Mr. Charley) thought it a duty to investigate the constitution of that Committee. He found the Committee had its origin in the action of the Royal Agricultural Society. The Royal Agricultural Society presented a Memorial to the Council, and applied to the hon. Baronet who had charge of the Bill to get a Select Committee. That Committee was composed of 27 Members.

Five of those were Irish Members, 10 represented English and Scotch counties, two represented small English boroughs, and 10 represented large boroughs. First, the five Irish Members voted unanimously in favour of a compulsory slaughter of foreign cattle at the outports. What motive induced them to do so? The hon. Member for Oxfordshire (Mr. Harcourt) told the House there was an element of poetry in the composition of Irishmen; but the Irish Members voted in favour of this proposition for the most prosaic of all reasons—because they thought it would enhance the price of Irish cattle £5 10*s*. per head. On that occasion Ireland was not treated as a foreign country; but if she had been, these hon. Gentlemen would have opposed it. As to the 10 Representatives of English and Scotch counties, he gave them the credit of having voted for a compulsory slaughter of foreign cattle at the outports because they thought that would suppress the cattle plague; but there were other motives operating on their minds, and they knew very well that if foreign cattle were so slaughtered, they would have to supply cattle to the markets of England, and that that would enhance the value of their beasts. With regard to the Gentlemen who represented large boroughs, if they looked at the composition of the Select Committee and at the division upon the second reading of the Bill, he thought they must come to the conclusion that the representatives of large boroughs, with one or two exceptions, were opposed to the compulsory slaughter of foreign cattle at the outports. Most of the large towns, including Manchester, Salford, Leeds, Sheffield, Birmingham, Bristol, Blackburn, and Oldham, were opposed to the provisions for compulsory slaughter. The hon. Baronet (Sir Henry Selwin-Ibbetson) had said that the Bill was opposed by the butchers and importers of foreign cattle. It could not be said that the Petition presented from the Corporation of Salford against compulsory slaughter represented the interests of butchers and importers of cattle from abroad. For every butcher whom the Corporation of Salford represented, it represented 1,000 consumers. Salford cattle market was the largest in the North of England, it cost £47,000, and occupied an area of about 9½ acres. It was the market not merely for South-west Lancashire, but for a considerable portion of Derby, Cheshire, and Yorkshire for the supply of fresh meat, and he believed that everyone in Salford, from the Mayor downwards, was opposed to the slaughter clauses of the Bill. The Committee had contemptuously rejected the proposal of the hon. Baronet who had charge of the Bill. Among the witnesses called before the Committee, there were a number of Professors, whose views were necessarily to a great extent theoretical. There were 15 representatives of agricultural associations and farmers, who were unanimous for compulsory slaughter; four representatives of foreign countries, who were equally unanimous in opposition to compulsory slaughter; and there were 12 representatives of popular centres who were also unanimous in opposition to compulsory slaughter. The only argument in favour of compulsory slaughter appeared to be, that at present there was doubt whether the cattle imported should be slaughtered at the port of debarkation; that compulsory slaughter would relieve the parties from anxiety, and the trade would pour into this country a constant supply of cattle for slaughter. He believed the result would rather be, that the parties relieved of their anxiety would send no more cattle. The evidence of the witnesses called before the Committee seemed to point to that conclusion. The agricultural interest was a great trades union. When they got the trade to themselves, and foreign cattle were excluded they would say—"We are masters of the situation; Parliament has given us a monopoly, and we will put a price on meat." It was childish to exclude Russia, Prussia, and Belgium. What was to prevent the Government from entering into negotiations with Russia, Prussia, and Belgium to have a proper inspection of cattle at the port of embarkation, as was the case in Denmark? The position of the Government was most illogical, for while they had assented to certain modifications in the Bill as regarded the home trade, they enforced a rigid iron rule in reference to the foreign trade. If the Government would not give free trade, let them give reciprocity; but there was no reciprocity in the proposals of the Bill. And the Bill was described by its supporters as being merely an instalment;

they said they wanted something more —namely, slaughter at the port of embarkation, which was asked for by the memorial of the Royal Agricultural Society. Therefore, it did not follow that the farmers would be satisfied even by the passing of this Bill. A very unfair imputation was implied in the statement that the opposition to this Bill was a mere Party cry. The Liberal Party opposed the Bill in its present shape because their constituents wished them, and the Representatives of the large towns on the Ministerial side did so too for the same reason. It was not a Party question at all, it was a question between producer and consumer, between the farmers and the teeming multitudes of their great towns. The farmers called upon them to surrender free trade for an effete protection, in order that they might themselves supply the cattle markets of England to the exclusion of live cattle from abroad; but the Representatives of the large towns declined to surrender the policy of Sir Robert Peel at the bidding of the farmers. He appealed to the Government to assent to considerable modifications of the Bill, and he trusted the assent would be given before they went into Committee.

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "having regard to the greatly enhanced price of animal food, this House is not prepared to adopt any measure which may tend further to diminish the supply of cattle from abroad,"—(*Mr. Torrens,*)

instead thereof—

Question proposed, "That the words proposed to be left out stand part of the Question."

SIR HENRY SELWIN-IBBETSON said, he should be the last to complain of the length of the debate on the second reading, or of the renewal of the debate at this stage; for the Bill required the fullest consideration at the hands of hon. Members. It had often been thrown into the teeth of the Government that they regarded this Bill from the agriculturists' point of view; but he maintained the proposition with which he had introduced the Motion for the second reading of the Bill, that it was looked at by the Government from the consumers' point of view, and not from that of the agricultural interest. Hon. Members seemed to ignore the fact that the supply of meat need not necessarily fall off in consequence of the restrictions imposed by the Bill. It was said that the slaughter provisions must of necessity increase the price of food, and hon. Members argued as if the towns depended upon foreign supply, which would be affected by the restrictions. The consequences to the towns were, however, very largely exaggerated. The large towns throughout the country were not dependent upon the foreign supply, beyond that from America, Spain, and Portugal, except, of course, Newcastle and Hull, which were, to a certain extent, dependent upon the trade with Denmark. The Returns showed that the towns were not largely dependent upon the supply from the Continent generally; and there could be no doubt that, so far as they had relied in the past upon the import of sheep from Germany, their supply had been maintained by animals slaughtered at the ports. It was shown conclusively before the Committee of last year, that for 18 months a large trade had been going on in dead meat slaughtered at the ports, which circulated freely through the towns of the country. The evidence was given by witnesses who spoke from practical knowledge, who said that the trade was not stopped by the restrictions, and went further, stating that when the conditions of trade were settled and better known, the trade would be more remunerative, and competition would be encouraged. The market at Salford had been for years almost entirely dependent upon the home supply, and to a very limited extent on the supply from abroad. The reflections that had been cast on the constitution of the Committee did not appear to be justified. It was one of the largest ever appointed by the House. It embraced Members representing almost every interest in the Kingdom, and a more anxious Committee to elicit the real facts of the case, as far as possible, had never been selected before. It had been asserted that the Government had been led to bring in the Bill merely by the agricultural interest; but the fact was, that they were influenced by the evidence brought before the last Committee, which proved that the condition of things existent in

1873, when the Select Committee reporting in that year did not see the necessity of compulsory slaughter, had been completely changed, and that the altered circumstances required the introduction of the slaughter clauses into the present measure. The Government felt that if they were to do away with disease they must take precautions not to stop the foreign trade, but so to regulate it as to give the best security against the importation of disease. He believed that any proposition to introduce cattle from Russia would meet with the condemnation of the House; and the German authorities admitted that they were not able to prevent the importation of disease across their frontier. It was, therefore, impossible to obtain any guarantee that foot-and-mouth disease and pleuro-pneumonia would not be imported from these countries. It must be admitted that there were countries in which there was considerable danger, and with respect to which they must make special regulations; but, at the same time, he was not prepared to say that there were not countries who stood in a different position. He had stated before that there were many grave objections against making exceptions in favour of any country. The Government had considered this question carefully, and since the Bill had been introduced, they had heard the expression of opinion from both sides of the House. On the point of admission of cattle from the countries that they were satisfied were free from disease, he was not prepared to say that the Government would not consider that matter. While altering the existing law, and making slaughter at the ports the law of the country, he was not prepared to say that it would not be proper to give power to the Privy Council to deal with these five countries; and if they were able to satisfy the Privy Council of their immunity from disease, and of the efficiency of their regulations as against the introduction of cattle disease, they might be admitted. With regard to Spain, Portugal, Norway, Denmark, and Sweden, the Government would suggest that, while maintaining slaughter as a rule, power should be given to the Privy Council to admit the cattle from the countries named, on it being shown that disease did not exist in those countries, and that regulations exist giving sufficient guarantee that disease was not likely to be imported There was another point about which a great deal had been said, and on which he wished to make a remark. He believed, in carrying out the restrictions in the Bill such as he had described, the conditions with regard to the importation of store and dairy cattle probably required further consideration. The Bill, as drawn, gave a length of time as a security against the introduction of disease, and he thought that would practically have effected the object in view. At the same time, the clauses would be so altered as to apply only to the introduction of cattle for breeding or exhibition purposes, under restrictions to be laid down by the Privy Council. There could, he thought, be no question with regard to the countries which were scheduled under the existing law. He did not think that it would be possible to argue that there was any probability at all of these countries presenting a clean bill of health, such as to justify the Privy Council in allowing them admission. He knew that hon. Members would say that France was in a different position from Germany. France was not an exporting country, unless she imported them from another country; and, therefore, it would require knowledge of the state of that country before the cattle could be admitted. He had stated the proposals of the Government thus early, because he wished to take the House into his confidence with regard to the position in which the Bill ought to stand. Having done so, he hoped the discussion would not be protracted to any length. He believed, with proper precautions, his proposals might be carried out with regard to the five countries; and he believed that they would admit a supply sufficient to do away, in the particular affected, with the grievances which had been set forth in the four days' debate. He believed the Bill would insure an immunity from disease imported into the country, and that it would do justice to the home and foreign trade.

Mr. CHARLEY rose to Order. He wished to correct a statement made with regard to the supply of the Salford market. ["Order!"]

Mr. SPEAKER ruled, that the point raised was not one of Order.

Mr. W. E. FORSTER: Sir, I must congratulate the Government on, what appears to me to be, its progress towards the true principles of legislation in this matter, and also the diminution of the practical evils which would have followed from the adoption of the Bill. I hope I shall not be considered ungrateful for the considerable concession that has been made—if I rightly understand it—if I endeavour to place before the House the anomalous, almost absurd, position in which we shall be placed if the Bill, as now amended, be passed. Until the House goes into Committee, and we see what the Amendments of the Government are, we cannot say what the concessions amount to. I understand that the cattle from those five countries—Spain, Portugal, Denmark, Norway, and Sweden—are not to be slaughtered at the ports, but are to be admitted inland.

SIR HENRY SELWIN-IBBETSON said, that what he stated was, that while slaughter was to be the general rule as applied to all countries, the Privy Council would have power given it to exempt any one of those five countries on its being shown to the Privy Council that disease did not exist in the country specified, and that regulations were there enforced to prevent the introduction of disease.

MR. W. E. FORSTER: I understand that, practically, to mean that the Privy Council will, in all probability, continue the same regulations with regard to those countries which now exist. But the House has a right to complain that slaughter should be made the rule; and, indeed, if we are to suppose the Privy Council are to use their discretion precisely in the way stated by my hon. Friend the Secretary to the Treasury, and that it is the intention of the Government to say that cattle from Spain, Portugal, or Denmark are to be admitted, if they can prove that no disease whatever exists in those countries, I am obliged to inform the House that, in my opinion, the concession will amount to nothing, and absolutely no cattle will be admitted. But I can hardly suppose that it is the intention of the Government, that cattle from Spain are only to be admitted if it is proved that the country is absolutely free from disease. If that is so, no cattle will be admitted at all, because it will not be possible absolutely to prove that there is no foot-and-mouth disease in a country. I cannot suppose that the Government are going to rest upon the principle of slaughter, if there happens to be foot-and-mouth disease in the country from which the cattle came; because, if that is the case, the concession will be in appearance, and not in reality. My contention is, that the present regulations with respect to foot-and-mouth disease are sufficient, that the slaughter of all the animals in a diseased ship is enough, and I imagine my hon. Friend the Secretary to the Treasury must really hold that view. Knowing from the experience which we have had, that there have been animals occasionally affected with foot-and-mouth disease in Spain, Portugal, and Denmark, I do not think my hon. Friend could work the regulations precisely in the form which he has explained. However, hon. Members must look carefully to the words of the Amendments, and if they are open to the interpretation which I have stated, it will not be difficult to show that the concession amounts to nothing. I, and those who take the same view, throw out this challenge—and the Government and the hon. Member for South Norfolk (Mr. Clare Read) will find it difficult to deny it—that since our regulation for the slaughter of all those animals, whether affected or not, among which any diseased beasts are to be found, no case can be proved of foot-and-mouth disease having been introduced into this country. With regard to the case of Mr. Preston, on which the Secretary to the Treasury relies, I must say I heard it with surprise; for I was told by a friend and neighbour that that gentleman held to his statement that his herd did not get the disease from foreign cattle. The hon. Gentleman mentioned a conversation which throws some doubt on it. But I may state, from information which I have received, that Mr. Preston holds entirely to his letter in *The Times*. Then the hon. Gentleman said he had got another case which will be found mentioned in the evidence before the Committee of 1873. That is the case given by Mr. Webb. But that confirms my contention, for the case occurred in 1871, whereas our regulation for the slaughter of the cargo was not enforced until 1872. I maintain that the regulation in question is sufficient to keep out foot-and-mouth disease; and that, if the Government are only to admit cattle from countries which can prove that they have no foot-and-mouth disease, they may as well pass the Bill in its original form. But what is the position in which we shall be placed with regard to foreign countries, if we say that the cattle from Spain, Portugal, Denmark, Sweden, and Norway, and the United States, may be admitted inland; and if we enact positively, by law, that they shall not be admitted from other countries? Scarcely a more absurd position can be imagined. We have acknowledged that the Privy Council has rightly exercised its discretion hitherto, and yet we propose to take away that discretion for the future with regard to all other countries. And with regard to home disease, we leave the Privy Council an absolute discretion. But, surely, with regard to the foreign trade, as well as the home trade, it is the business of the Government, from year to year, and from month to month, to consider how they can best promote without restricting it, and without the risk of disease. These restrictions are most inconvenient. The cattle import had grown to 260,000 before 1865; the cattle plague brought restrictions, and the imports were reduced. They grew up again to 270,000 in 1876, and fell last year, in consequence of the restrictions on account of cattle plague, to 210,000, and would have fallen still more, if these five countries had been brought under the operation of the restrictions. We have a growing trade, which we wish to preserve; and, surely, the Government do not desire to put the House in this position—that, unless we can find time to pass a law through Parliament, we are not to admit cattle from a country which can prove itself quite clean and free from disease. I cannot understand the proposal which is made by the Government, unless it is made as a sort of compromise, in order to meet the pressure put upon them in certain quarters. I wish also to point out the position in which it will place them with reference to foreign countries. With nearly every country they have a favoured nation clause, which says that the goods of one country should be admitted on the same terms as those of another. That clause does not, of course, apply to actual disease. If we can prove actual disease, we must put that country in an exceptional position; but suppose a country to be perfectly safe, it will have a right to complain, if it should be treated in a different way from Spain or Portugal. We are passing an Act of Parliament under special and exceptional circumstances, those circumstances being chiefly the outbreak of cattle plague which followed the late war; and, surely, in these circumstances, it is ridiculous to take away from the Privy Council their discretion? All this, however, is a matter which we can debate in Committee. The Government have met us quite as much before we get into Committee as we can expect, and I hope they will a great deal more when we are there. The House has listened to me so kindly that I will not trespass upon it more than I can help; but I shall be very glad if it will allow me to make a few remarks upon another portion of the Bill, considered in a rather different light. Hitherto we have looked upon it mainly with regard to this most important clause, dealing with the slaughter of foreign cattle. I dare say it may be said that I am to blame for that in having founded my Amendment to the second reading upon that clause. No doubt it was the chief provision, and did require the first attention, and my hon. Friend the Secretary to the Treasury was himself so impressed with its importance that, in introducing the Bill, he said very little about the home regulations. It is, however, a matter about which I feel so much interested, that perhaps the House will allow me to look at the Bill for a short time, putting aside the foreign cattle, and considering only how it affects our home trade. Our home trade and the imports from Ireland are, I admit, of much more importance than the foreign trade. In the first place, it seems to me that the provision of the Bill with regard to the cattle plague are almost entirely good. Power is taken by the Bill, or rather enactments are made by it, to carry out two of the recommendations of the Committee of 1873; which, I think, the Government ought to have made law before. One of these is that cattle which are in contact with those affected must be killed, and another is that animals in an infected district may be killed. There is another very important alteration, with regard to the cattle plague, which was not recommended by the Committee of 1873, but by that of 1876; and which, I think, is a good alteration. It is that the Privy Council is made the authority—the power throughout the country—for the cattle plague, instead of the local authority. Then, there is a provision that compensation is to be paid out of the taxes instead of the rates. That, I think, is a very doubtful matter, which will admit of much argument. We next come to pleuro-pneumonia. I hope I do not weary the House; but it is most important to consider the Bill in relation to the home trade, because its provisions really affect both the producer and the consumer more, perhaps, than the House is yet aware. With regard to pleuro-pneumonia there is also one good change, inasmuch as the period of isolation is altered from 30 days to 56 days. There is also a power to declare a district infected not only because pleuro-pneumonia exists at the moment, but because it has existed in the month previously. Both are recommendations of the Committee of 1873. Now we come to an enactment, as to which it is very doubtful whether it ought to be in the Bill at all; and it involves a principle of so much importance that I think some reference should be made to it before the House goes into Committee. Power is given to the local authorities to slaughter cattle which are actually infected. That is right. It is clear that they ought to have that power. This House will bear with me for a moment, if I tell them that, in the slang of the Veterinary Department, "infected" cattle are those from diseased districts, and not apparently diseased; while "affected" cattle are those really diseased. Power is given to the local authority to slaughter, for pleuro-pneumonia, infected cattle; but, by Act of Parliament, it is to be decreed that cattle affected must be slaughtered. I think that is a mistake, and that it is a matter which, instead of being placed in an Act of Parliament, might fairly be left to the discretion of the Government. At the present moment I believe such cattle ought to be slaughtered; but what the Privy Council does by Order is one thing, and what we do by Act of Parliament is another. I do not wish that we should put ourselves into such a position, either with regard to the home or the foreign trade, that we should be obliged to pass Acts of Parliament whenever any change comes over the circumstances of the case. I believe that veterinary science will be eventually able to do without slaughtering. I do not think it very likely that it will ever succeed in finding a cure for cattle plague; but I trust a cure will be found for pleuro-pneumonia. Therefore, I think it a mistake to put in an Act of Parliament that cattle must be slaughtered for pleuro-pneumonia. I now come to a very important part of the Bill. In the course of this evening I asked the Secretary to the Treasury whether he could lay upon the Table of the House the General Orders which would be issued with regard to these diseases? The answer which he gave was just what I expected—namely, that the General Orders must depend upon the Bill, and that until the Bill was passed they could not be produced. But what I must point out to the House is, that unless, and until, we have those General Orders, we have a most incomplete Bill; we have no idea what the Bill will be, and we can form no notion as to how it will affect the home trade. The Bill is so incomplete, that I think, at least, we should know the general principles upon which its provisions are to be applied before we go into Committee upon it. For, unless we know those general principles, we cannot answer either of these two questions. First, we do not know whether the inconveniences to the trade will not be far greater than any good which may accrue; and, secondly, we are in the dark as to whether the home regulations will not be the merest possible sham, or whether they will have some degree of efficiency. As regards pleuro-pneumonia, the Government—that is, the Privy Council—takes the power, if it thinks fit, to declare not merely that a place, but that a district is infected. Now, we ought to know on what principles they will thus declare a district to be infected. It was said, as clearly as possible, in evidence before the Committee, that all chance of stamping out pleuro-pneumonia depended upon there being a large district around that infected place. I have no idea how the Government intend dealing with these matters, and I am the more inclined to ask the question because, having looked very carefully at the statements of the Lord President of the Council in the Committee of the House of Lords, it appears to me that, both with regard to pleuro-pneumonia and foot-and-mouth disease, his Lordship is inclined to adopt much less stringent measures than those of which the permanent heads of Departments are in favour. We know what Professor Brown thinks ought to be done with regard to pleuro-pneumonia. He says that restrictions in a number of details, such as stopping markets and the registration of cattle, would be necessary to stamp out the disease; but that they would constitute such a mode of interference that no one in the country could tolerate it. I say, both to the Members for the agricultural classes and to the Members for towns, that we ought to know what regulations are intended to be made. Are they to be such that they will create such an outcry in the country that they cannot possibly be carried into effect, or are they to be so reduced that there will be no chance of stamping out the disease? As the Bill appears to be drawn, they will be stringent enough. I would ask the county Members to consider what they will be, if they are to be carried to the full extent of the Bill. There is to be no movement "into or out of" an infected place; there is, also, to be no movement "into or out of" a district infected with pleuro-pneumonia, unless the Privy Council licence it. I go upon the supposition that the Privy Council do not mean to licence such movements, except in extraordinary and exceptional cases, and that isolation in a district is to be the rule. What is a district? I find only one definition in the Bill—namely, in the 16th clause—which says that a district is described in the Schedule. In the Schedule it is described as a "county, excluding boroughs," and "boroughs." Let us see what will be the working of the Act as regards pleuro-pneumonia. Supposing a ship arrives at Liverpool from Ireland, and it is discovered that it has one animal on board suffering from pleuro-pneumonia, so far as I can see from the Bill, not a single animal will be allowed to leave the district of Liverpool alive for a very considerable number of days. Let hon. Members consider the effect of such a provision, and what are actually to be the restrictions. I can hardly believe the Government mean the Act to work as I have stated; but I must ask them what they do mean? They state, with regard both to pleuro-pneumonia and foot-and-mouth disease, that there are to be General Orders, and that isolation is to continue in force, except in such cases and upon such conditions as the Privy Council may decide. Now, I do say that we are very much in doubt, unless we know the sort of General Orders that are to be issued. I wish the House to see the enormous discretionary powers taken by the Government under this Bill. The hon. and learned Member for Salford alluded to them to some extent; but let me ask the House to refer to Clauses 27 and 30. In Clause 27, it will be seen that the Privy Council may make what Orders they please with regard to any disease, except cattle plague, pleuro-pneumonia, and foot-and-mouth. I wish we had the slightest chance of the Government having the same faith in themselves as regards the foreign trade as they have with regard to the home trade. If hon. Members will look at Clause 30, they will find that 35 powers are given to the Privy Council. It is almost impossible to exaggerate the enormous discretionary powers thus given. I now come to the discretion with respect to foot-and-mouth disease, and the regulations on this subject are of the utmost importance both to the home and foreign trade. And here I am obliged to say that, so far as I can make out, they succeed as the Bill at present stands—to use the words of Professor Brown—in making the Bill obstructive without being effective. There are three ways in which we can deal with foot-and-mouth disease. First of all, we can exclude it from the list of diseases altogether; and I can see by the evidence given before the Committee in 1873, and by some of the questions asked the witnesses, that very strong arguments were used in support of that view. I confess I am not entirely convinced by the reasoning; but I had much rather foot-and-mouth had been struck out of the list of diseases than left in the way which the Bill leaves it. Another mode of dealing with foot-and-mouth disease is in accordance with the recommendations of the Committee of 1873—namely, that measures should be taken to prevent diseased animals being exposed in markets, or carried along highways. There is, lastly, a plan of stamping out the disease as we should stamp out cattle plague or pleuro-pneumonia. That has been recommended by some of the Chambers of Agriculture, and also, though very reluctantly, by Professors Brown and Simonds. They say they are by no means certain that the country would consent to the necessary regulations; but if they could get their own way and no obstacles were placed before them, they think they could stamp it out. But this Bill takes no notice of that part of the stamping-out process which will be effectual, and only leaves in that which will be very obstructive and very inconvenient. Professor Brown, in 1873, when he was asked how he could stamp out foot-and-mouth disease? said—"You must apply cattle-plague restrictions without compulsory slaughter." In that statement you have a real description of what must be done to have any hope of stamping out the disease. Yet the great argument in favour of this Bill was based upon the compulsory slaughter at ports. It was said—"See how the cattle-plague restrictions of last year stopped foot-and-mouth. We are pretty sure of being able to stop it under the Bill." But the Bill does not propose to put into force against foot-and-mouth disease the same regulations as against cattle plague. It is necessary to stop markets, to stop the movement of cattle, not only in small infected places, but in a considerable area, such as a district, to have the slightest chance of stamping out the disease. As the Bill was brought into the House of Lords it contained these provisions; but both were struck out, mainly in consequence of representations from Ireland; and we have had very fair warning from the hon. and learned Member for Limerick, and also from other hon. Members, that if it is attempted to bring back these regulations, there is no chance of passing the Bill. Professor Brown said, over and over again, that this was absolutely necessary. I asked him—

> "From your experience do you imagine it would be possible to carry out these regulations which you say would be necessary for freeing the country from foot-and-mouth?—I do not, and I think nothing short of these regulations would be worth trying. Do you think it would be enough to stop the foreign import?—No."

With regard to Professor Brown, you must not consider him as a mere Professor working in his laboratory; he is a man of practical experience, and of greater practical experience in regard to cattle plague than anyone in England. The Secretary to the Treasury, upon considering the whole evidence, came to the conclusion that laws would be required to stamp out foot-and-mouth disease. And here the House must allow me to read again from the last examination of Professor Brown. I said to him—

> "My friend asks you again the exact measures you would propose to be combined with the slaughter of all animals at the port of landing for foot-and-mouth. Suppose the disease only extended to a certain number of districts, what should you say should be done then?—I should at once stop all movements of cattle in those districts except by licence, and I should also prevent the holding of fairs and markets except by licence; and, except under special circumstances, I should prohibit the movement of any animals from farms on which disease existed."

That is far the least that those who know most about it say is necessary to stamp out disease. But that is what the Bill does not do. It does not prohibit the movement of cattle for foot-and-mouth in infected districts, nor does it enable markets to be stopped for that disease. The Privy Council have an almost absolute discretion in everything except those two things, and yet they are the only measures which would make it possible to stamp out foot-and-mouth disease. I am not saying that they ought to be restored to the Bill—I think it would be useless to try to stamp out foot-and-mouth, for no country in Europe has done so except Denmark. In Professor Brown's examination, he said that if foot-and-mouth existed here as it did in Denmark, only upon a few farms in one island, there would be no difficulty in dealing with it. But the case here is very different. This is a disease which comes and goes, disappears for a few months, or a year or two, during which we know not where it prevails; and if this Bill passes there may be a temporary cessation of the disease, and the agricultural Members will say to their constituents—"We have stopped the foot-and-mouth disease." But two or three years hence it will spring up again. I am not myself in favour of these stamping-out measures; but those who do believe in the possibility of stamping out disease ought to complain very greatly against this Bill, because it does not in any way give power to do so. What it does do is to give the Privy Council power to make excessively inconvenient restrictions, and to harass the trade without effecting the object in view. I now come to a point upon which we ought to have much more accurate information. What is a "place," as contained in the Bill? What is to be an infected place for foot-and-mouth and pleuro-pneumonia? The definition in the Bill is different from that in the present Act. In the present Act it is defined as a "field, stable, cow-shed, or other premises." It is now described as a "cow-shed, field, or other place." Now, I want to know what a "place" is, and everyone engaged in the trade would like to know. Take, for instance, the trade between England and Ireland. Is a wharf to be a "place?" If it is, I venture to say you will not stamp out the disease; but you will so inconvenience the Irish trade that its proportions will become much reduced, or the regulations will have to be made a mere sham. Take the case of the port of Liverpool; there ships discharge their cargoes right and left against the docks. If you say a wharf is a landing "place" on the right hand side, then it will be declared an infected place, if one animal suffering from foot-and-mouth is found there. Then, for 14 days the next cargoes must go to the wharves on the left hand side, another infected ship may arrive, and thus the whole wharf be isolated. The result will be, that if the Government insist upon these regulations, the dock authorities will rather be without the Irish trade at all. That is a very serious matter, indeed, and one quite independent of the foreign trade. The Irish trade is one upon which no one will say that the food of the people does not depend, and the stoppage of the Irish imports would be a very serious matter indeed. If, again, a "place" is to mean a "market place," is it intended that if one animal affected with foot-and-mouth goes within the curtilage of that market, the whole of the market is to be an infected place, and that no cattle are to be moved therefrom for 14 days? If you are not going to declare that, then the regulations are the most absolute sham. My hon. Friend the Member for South Norfolk is prepared to declare a market an infected place, and in a speech delivered in Norfolk, he said that on the appearance of the foot-and-mouth epidemic, it would be necessary for the local authority to shut up the market. I ask the Government whether or not that is the meaning of the Bill? Do you intend to stop a market when you find a diseased animal in it or do you not? I believe that if that be the intention of the regulations, the remedy will be worse than the disease. I think, also, that while the foot-and-mouth regulations, as they at present stand in the Bill, will be ineffectual, it will be extremely difficult to make them more stringent in Committee, because of the opposition of the Irish Members. As the regulations stand, they are as bad for the home trade as for the foreign, and are obstructive without being effectual. It is quite true that in Clause 26, power is given to the Privy Council to do what it pleases if animals infected with foot-and-mouth disease be found in a market. But we ought to know what the Government means to do; for, in the one case, they will cause enormous inconvenience, or in the other, laws without stringency will be a mere sham. I must return for one moment to the foreign trade. The Committee, upon which my hon. Friend sat, reported that the utility of all these foreign regulations depended upon the home rules. In the 13th paragraph of the Report of the Committee last year, in accordance with the evidence, it was stated that if this disease were to be stamped out, both kinds of regulations were desirable. The Committee add that the first matter to be decided is, whether the farmers of this country are prepared to accept such regulations as may be necessary? The first matter for us to know is, what the home regulations are to be? Absolutely no information is given us what these regulations are to be, except that for the foot-and-mouth, we know they are not in two most important matters to be stringent. I have only one remark more to make before I sit down. I have to make an appeal to the Government to alter the present form in which they bring these clauses before us. This is a very important point. I think it must be admitted that the spread of the disease at home in England depends upon the Irish imports as much as upon the communication between one county and another of this country. Upon that point I do not think that there is any doubt, though there may be doubt as to how far these diseases at present exist in Ireland. Just now appears to be a good time in Ireland, and I believe that these diseases are less prevalent there than usual. Nevertheless, a great deal of the disease here comes from Ireland. Evidence was given before the Committee last year to this effect by Lord Fitzhardinge, Mr. Swan, and Mr. Howard. Mr. Howard, who was one of the best witnesses, sums up the whole of the matter with regard to the Irish imports by saying that we get the foot-and-mouth disease regularly from Ireland. Therefore, before we ask our home farmers to submit to restrictions, and before we make any provision for slaughtering foreign cattle, we ought to know what the Irish regulations are to be. The Bill, however, is very clumsily, if it were not very ingeniously, framed. We first decide what shall be done in England; we then make provision for foreign animals, then regulations for Scotland, and afterwards for Ireland. I appeal to the Government so to alter the form of the Bill as to settle all the home regulations for England, Scotland, and Ireland first, and then to decide what shall be done with regard to foreign animals. With regard to Scotland, it makes very little difference, because the English regulations are applied there; but in Ireland there is a different authority from that in England. Instead of the English Privy Council giving the orders, the duty devolves upon the Irish Privy Council. There is nothing to cause them to issue the same Orders; there is only advice to be offered to the Irish Privy Council, that there should be communication between the two Governments with a view to uniformity. Each Government is to tell the other what it does. But we know there would be a strong pressure brought to bear upon the Irish Government to make these regulations very lax. I do say that, in common fairness, we ought to know what is to be done with regard both to England and Ireland before we are called upon to decide what measures are to be taken with regard to foreign imports. To go back for one moment to the first question, I repeat what I began, by stating that I thank the Government for the concession they have made. It is, I trust, an immediate practical improvement; but it appears to me extremely illogical, and to be open to great practical objection in the future. There was a time when there were quarantine laws and regulations; the Privy Council, I believe, had power given them by law to put countries in quarantine in which certain diseases were found to exist; but how absurd it would be to enact by statute that any country in which cholera, for instance, existed, was always to be quarantined. It seems to me most absurd that an Act of Parliament should have to be passed to declare a country free to send cattle here; yet that is what the Bill does. Because there happened to be an outbreak of cattle plague last year, you take from the Privy Council the power to relax the regulations which they made in consequence of this outbreak. I have, in conclusion, simply to express a hope that, as the Government has conceded so much before the House goes into Committee on the Bill, they will make still further concessions before the clauses are agreed to.

SIR HENRY SELWIN-IBBETSON, referring to a former statement, said, the exceptions were in favour of countries where the laws were sufficient to afford reasonable security against the introduction of disease.

MR. W. E. FORSTER asked, if the Dutch would come in?

SIR HENRY SELWIN-IBBETSON: It is not one of the five countries, and therefore will not come in.

MR. KING-HARMAN said, the hon. and learned Member for Salford (Mr. Charley) had commenced his speech by a most extraordinary and uncalled-for attack upon the five Irish Members who were Members of the Committee sitting in relation to this subject, and who gave a considerable amount of time and attention to the evidence given before them. If the hon. and learned Member for Salford would refer to the Report of the Committee, he would find, from the questions they put to various witnesses, that the five Irish Members attended steadily and regularly to their duty, and they would likewise find that many Representatives of large English boroughs attended not nearly so regularly, unless a witness was brought in to suit the special view of the case. They had been told that Mr. Gebhart proved before the Committee that since the cattle had been slaughtered at Deptford certain descriptions of meat had not gone through the country. Mr. Gebhart said that the supply to large towns and boroughs would greatly suffer if restrictive measures were put on the importation of sheep. In the mining districts especially, Mr. Gebhart pointed out that the population were in the habit of buying the German sheep, which were lean and had little bone, that this meat would not bear the risk and cost of travelling, and if the supply of these sheep were stopped, the people would feel it keenly. He (Mr. King-Harman) pointed out the fact that since the slaughtering of these sheep at Deptford, the meat had been sent into North and South Wales, where the fore-quarters had been bought, and in many cases the hind-quarters had been returned to London, and sold, not only as good and wholesome meat, but actually as the best Welsh mutton. A great deal had been said about the opposition which would have been offered to the Bill in the interests of Ireland, if the more stringent clauses affecting that country were retained in it; but, although Irish cattle suffered very much from foot-and-mouth disease, they did not really suffer so much, and got rid of it more quickly—he could not explain why—than English cattle, notwithstanding which fact, great loss was, no doubt, occasioned by the reluctance of English buyers to purchase stock in Ireland from a fear of the disease. The hon. and learned Member for Salford said that five Irish Members sold their convictions for the sake of a gain of £5 per head in the value of the Irish cattle. He had never heard it said that Irish stock would be increased £5 per head before it was mentioned by the hon. and learned Member. He believed, however, that if certain restrictions were enforced, their store cattle would be slightly increased in value; but he did not anticipate an improvement in the value of their fat cattle. He believed that if Irish landlords looked to their pockets alone, they would be rather in favour of leaving things as they were; because, though the small farmers would benefit if there were no foot-and-mouth disease, they would suffer temporarily if restrictions were placed on the movement of cattle, and the loss would for the time fall on the landlords, who would not be able to obtain their rents until the restrictions were removed, and the cattle sold. It was his opinion, however—and he had had much conversation with men of all sorts in Ireland—that, with the exception of salesmen and those who were both salesmen and graziers, every class of agriculturists was in favour of the Government measure, and that they would prefer a Bill drawn up according to the more stringent Report of the original Committee.

General Sir GEORGE BALFOUR, as on a previous occasion, supported the Bill in the interests of the consumer, as of the farmer, believing that no measure could be more beneficial to the people of the country than one that tended to secure for them a sufficient quantity of food at a fair price. He believed that this end could be effectually attained by removing the causes which impeded the home production of food. That object, he was confident, would be attained not only without increasing the price paid, but cheapening the cost. The truth was, that fear of disease was the real cause of the decrease of the home supply, or rather the extension of the stock of cattle to meet the increased demand for meat was impeded by the diseases brought from foreign countries. In his own county, for instance, no less than from 15 to 20 per cent of the cattle had been swept away by disease in 1866, and what the farmers most desired for an increase of stock was security against both the foot-and-mouth disease and the cattle plague. A careful investigation made in the several localities would show that the facilities for obtaining store cattle from Ireland, and from abroad they eagerly desired, but hindered by fear of ruin and losses caused by these diseases. There could be no doubt that the stock of cattle would largely and rapidly increase when the farmers felt more secure; indeed, even now there was a very appreciable improvement in many counties; an examination of the numbers now as compared with the numbers in 1868 would prove this fact. His view was that the country ought to rely on that increase when diseases from abroad were stopped, being ample not only to supply the people, but also to keep prices down. On the data stated by the right hon. Gentleman the Member for Bradford, they wanted yearly for consumption in the United Kingdom about 1,440,000,000 lbs. of cattle meat, and at about 600 lbs. the beast, the number would be 2,400,000 cattle, of which it was not necessary to import at present more than one-eighth, or about 300,000 cattle, or dead meat from abroad, leaving 2,100,000 head of cattle, or say 1,260,000,000 lbs. of meat to be obtained from the home factory. He thought that if the plague had not broken out, there would have been by this time at least 12,000,000 cattle in stock in the country, of which one-fifth would have been available for slaughter every year. This assumption was justified by an examination of the stock in the counties of the three divisions. Since the 5th March, 1866, when the plague had ceased the stock had increased. The increases had been large in most of the counties, and if the obstructions caused by the dread of disease could be removed, the home manufacture of meat would largely progress. This result was financially and politically of vast importance, for none could look at the cost of imported cattle without being struck by the fact that 10 years ago they imported in one year more cattle by 11,000 than they did last year, and yet paid a much smaller sum. The information which would shortly be laid before the House, in Return 273, ordered to be printed, would conclusively prove that with their increased demand on foreign countries for cattle and dead meat, the prices levied on this country for food of all kinds, as well as for meat, had largely augmented, and this in the face of full freedom in respect to all imports. The interruptions caused by disease in respect to meat, and its cost did not apply to other articles, such as butter and eggs, for the prices of these had swelled up year by year with their augmented wants; so that, in spite of absolute free trade, there had been no reduction in the actual prices in any article. As for free trade, there could be no fear that the Government would attempt to do anything that would really diminish the free supply of meat; while farmers, as all knew very well, did not wish for protection, being aware how completely their welfare depended on the consumption of the great towns. The House would remember that if the Bill was, after all, as asserted, a boon to the farmers, they were a hardworking, industrious class, who had not received enough consideration from Parliament, and who certainly made no such excessive profits as in other trades. At present, everyone must admit that there was a powerful body of influential and wealthy men, deeply interested in the foreign trade of animals and dead meat, and when the Return already referred to was in the hands of hon. Members, they would see that, a trade in meat of £20,000,000 sterling value passing through the hands of this importing and selling body, it was not likely that the outlay would be made without insuring to the interested individuals large commissions and profits, far in excess of the gains the comparatively less wealthy farmers have ever reaped from their sales of animals direct to butchers.

MR. CLARE READ said, he could not agree with the statement of the right hon. Gentleman the Member for Bradford (Mr. W. E. Forster) that the regulations with regard to the import of foreign stock were sufficient to keep out foot-and-mouth disease. At present, stock cattle from an unscheduled country had to undergo quarantine for 12 hours, and then, if found sound, were allowed into the interior. Now, 60 cattle and 60 sheep had recently arrived at Brown's Wharf from the Paris Exhibition; they had not been in a market, but had been arranged in the Exhibition with every possible sanitary precaution, and the same care had been taken of them during their journey to England. Those cattle had passed the Inspector after 12 hours' quarantine, when not one of them was infected, yet almost all of them were diseased now; and if they had come from an unscheduled country, they would have been pronounced sound and sent to all parts of the Kingdom. The right hon. Gentleman would perceive that it was not enough to kill cattle when they became infected; and that although the foot-and-mouth disease had a short period of incubation, the quarantine of 12 hours was not sufficient. The right hon. Gentleman had also thought that if Holland were to give an assurance to this country that she would not permit the transit of cattle from Germany through her dominions to England, she might be declared free. But free from what? Free, probably, from cattle plague; but was that country free from pleuro-pneumonia or from foot-and-mouth disease? The former had existed in Holland for centuries, and the latter, it was said, from time immemorial. The percentage of disease in that country was remarkably high, in spite of all efforts to stamp it out; and yet the right hon. Gentleman had argued that cattle coming from Holland should, after a quarantine of 12 hours, be allowed to be distributed over all parts of England and Scotland. That was hardly fair when they were striving all they could to stamp out pleuro-pneumonia. The Government had made very large concessions, and he hoped, when the House was in Committee, they would make no more; indeed, he should be glad to see the Bill made somewhat more stringent.

Mr. BIGGAR thought it right to say that he spoke for no one but himself. He did not mean to speak for the Irish Members, and so far as his constituents were concerned he had not received any intimation of their views; but he was decidedly against the Bill. He regarded the evidence given by Professor Brown and Professor Simonds as entitled to very great weight and as much superior to that of gentlemen who simply gave *ex parte* evidence, without furnishing the reasons on which they based their conclusions. The Bill was chiefly aimed at three diseases—cattle plague, pleuro-pneumonia, and foot-and-mouth disease. In regard to cattle plague, he thought the evidence given before the Select Committee showed that on the last occasion when it visited this country the farmers were in a state of unnecessary panic, and that cattle were slaughtered right and left which a little hesitation would have shown not to be suffering from the disease at all. That panic, he thought, existed more or less now. Having referred, in support of this opinion, to the evidence of Professor Brown, and to the circumstances connected with the importation of two cargoes of foreign animals last year — the one into the Thames, and the other into Hull—which were supposed to be affected with cattle plague, the hon. Member went on to observe that although the epidemic of 1865 was no doubt serious, yet probably more injury was occasioned by indiscriminate slaughter than by the ravages of disease. It would have been better to have killed the animals which were really affected and to have placed the rest under healthy conditions. If the disease was so contagious as they were asked to believe, one would have thought that in the countries in which it was indigenous there would be no cattle left at all. In the interests of the consumers of this country, he believed that the proposed restrictions should not exist; and, with the very strict care which was exercised over all cargoes which came into the Kingdom, he did not think that Germany should be a scheduled country at all. Even if the cattle were brought in without any examination, it would probably not be so injurious as the system of wholesale and unreasonable restrictions. As to pleuro-pneumonia, we had it constantly in the midst of us in all parts of the United Kingdom; and the logical result of the restrictions now proposed to be applied to foreign cattle under that Bill would be that every beast having lung disease which entered any town or county should be slaughtered there. Lung disease had existed among cattle in this country when the importation of foreign cattle was totally prohibited. So far as lung disease was concerned, the restrictions contained in the Bill would not protect the cattle of English farmers. The disease existed to as great an extent in England as it did in any other country. Then as to foot-and-mouth disease, it was not fatal, though no doubt it was very inconvenient and annoying, but not so much so as the proposed restrictions would be. There was very little evidence to show that it was either infectious or contagious; but it was shown that cattle existing under unfavourable conditions as regarded water supply, ventilation, or overcrowding were subject to take it. It had been argued that the slaughter of animals at the port of debarkation would not affect the consumers, who would be supplied by the dead meat market; but he wished to point out that in inland towns it was necessary to have the cattle alive, so that they could be killed when wanted. It had not been proved that the importation of American dead meat would be a success. A great deal of meat, they knew, had to be destroyed—of course, greatly to the loss of the importer—and the profits in the ordinary course of the trade could not withstand such losses. He believed that, upon the whole, the trade had been a loss. In conclusion, the hon. Member contended that the object of the Bill was not so much to keep disease out of the country as to promote the interest of the home feeders by keeping foreign fat cattle out of the English markets, and so raising the price of meat which had been bred and fattened at home.

MR. GOURLEY, whilst pleased that concessions had been granted by the Government, thought that others ought to be made. He felt bound to oppose the further progress of the Bill, because it was bad in principle and illogical in its intentions. He would, therefore, suggest, that before proceeding with the Bill in Committee, the Government should agree to the Amendment proposed by the right hon. Gentleman the Member for Bradford. He held that new legislation was entirely unnecessary as far as restrictive measures were concerned, the powers already possessed by the Privy Council being sufficient to enable them to prevent the spread of cattle disease; while as to compensation for farmers, the clauses which already existed, whereby that class received compensation for making known that they possessed diseased cattle, or cattle that they suspected were diseased, instead of being altered with a view to increase the compensation, ought to be abolished altogether. They had a tendency to encourage indolence, and the farmers would take greater care if they had not compensation to look to. The Bill would prevent a reduction in the price of meat, which was necessary, in consequence of the great fall which had taken place in the wages of the labouring classes. Hon. Members who had addressed the House had asked, in whose interest had the Bill been introduced? As far as he understood, it had not been introduced in the interest of the farmers. It had not been introduced, in his opinion, in the interest of the agricultural labourers, because they did not happen to be consumers of beef or mutton. Well, then, in whose interest had this Bill been introduced? In that of the landowners of the country, for the purpose of enabling them to maintain their present high rentals, which must inevitably be reduced but for some such measure as this. While the value of all other interests had been depreciated, while the value of the shipping interest had been depreciated 30 or 40 per cent, of the mining interest 100 per cent, of the ironmasters as much or more, the one interest which had not been depreciated was that of the landowner. Rentals of landowners were now exactly what they were four or five years ago, when the country was in what must be designated the highest state of prosperity. The Bill was illogical in its principle, because while it would prevent the free importation of European cattle, it proposed to admit cattle from Ireland and the United States and Canada. The reason for exempting Ireland was fear of the opposition of the Irish Members, who would have given the Bill every possible opposition, if the prohibitory clauses respecting Ireland which it originally contained had not been struck out. The real reason why Canadian cattle had also been exempted was, that if the Government extended the compulsory slaughter to the cattle imported from that country, they would have risked the creation of a feeling of disloyalty on the part of the Canadian people. There was no doubt that an under-current of disloyalty existed in Canada. [MR. ASSHETON CROSS: No, no.] When he was in Canada, six years ago, he took the trouble to make some inquiries as to the feeling of the people towards the mother country; and while he admitted that a spirit of loyalty was displayed at certain public meetings, yet in the background he found a large amount of disloyalty, and a feeling on the part of the people for annexation to the United States. [MR. ASSHETON CROSS: No, no.] That was the impression he had formed as the result of his inquiries. While the Government had imposed all kinds of restrictions upon shipowners and mineowners, the farmer was to obtain a larger extension of the exceptional privileges which had been already accorded him. He denied that the provisions of the Bill would stamp out disease. They would rather tend to foster indolence on the part of the farmers in guarding against it. If the Government were sincerely desirous to stamp out disease, their first duty was to clear London and other large towns of their unhealthy cow-byres, and the landowners and farmers of the country should be compelled to provide better housing and better water for their cattle, otherwise disease would not be stamped out. The inhabitants of our large towns were generally opposed to this measure; and if it should become law, and the price of meat was thereby enhanced, the working classes would be deprived of an article of food that was necessary for the production of the bone and sinew which enabled us to compete so successfully with foreign countries. In conclusion, he appealed to the Government to grant still further concessions with regard to the importation of foreign cattle.

Mr. D. JENKINS said, the constituency he represented would be seriously affected by the operation of the Bill. He did not think the concessions made by the hon. Baronet the Secretary to the Treasury were satisfactory. Cattle had been imported in sailing ships during the last 25 years from Spain to the place he represented, and they had been invariably delivered in good condition, with two exceptions. In no single case had the introduction of the disease into the county of Cornwall been traced to the importation of foreign cattle, but rather whatever disease they got in that county came from Bristol. This fact pointed rather to the necessity of having more stringent home regulations, instead of increasing the restrictions on cattle sent from abroad. The supply of foreign cattle at Penryn had certainly kept down the price of meat. He was informed that if this Bill passed in its present form, and if the compulsory slaughter of all animals imported from abroad were enacted, the importation from Spain would be altogether put a stop to, and in that event the price of meat in Cornwall would be raised 1*d.* or 2*d.* a-pound. He should therefore oppose the Bill at every stage, so far as it was calculated to destroy the foreign trade.

Mr. HUTCHINSON said, he did not profess to have a technical knowledge of the subject; but he knew something of the popular feeling in the large towns of Lancashire and Yorkshire, and he could confirm the statement of the hon. and learned Member for Salford (Mr. Charley), that it was opposed to the Bill, feeling that its operation would be disastrous to them, if passed into law; and that circumstance was in itself a sufficient reason why the burden of proof as to the prudence and the necessity of the measure should be laid upon its authors and promoters. The provisions of the Bill abrogated the discretionary power hitherto vested in the Privy Council as regarded the admission of cattle from abroad, and substituted the hard-and-fast line of slaughter at the port of debarkation. That recommendation was made on the ground that the plan would eventually be effectual against foreign contagion. The responsibility of showing that the existing system had failed rested exclusively on those who sought to make a change. By bringing forward the Bill, the Government had laid themselves open to the charge of having needlessly interfered with the supply of food to the people; and, of course, the effect of the enhancement of the value of one of the necessaries of life would be to interfere more or less directly with every industry. An attempt had been made to show that the farmer who sent his beasts to the London market and the shipper who sent his cattle across the sea stood on precisely the same footing. It was a fallacy to suppose there was any analogy between the two cases; because the farmer at home was in a much more advantageous position with reference to his knowledge of the state of the home markets, his access to them, and his freedom from the exigencies and accidents to which the importer was liable. Of course, it was only a prediction that the operation of the measure would raise the price of food, but it was equally a prediction that it would not; but it was indisputable that enhanced value attended limitation of supply. It was openly avowed that the promoters of the Bill desired to develop the dead meat trade; but it was not considered how that would affect butchers, corporations, dock companies, and others, whose capital was embarked in the arrangements necessary for slaughter at the retail market. If there were a national exigency, considerations of this kind would have to be ignored; but, until there were, Parliament should do no more injury to private interests than was absolutely necessary. Those who were embarked in this trade ought not to be called upon to make such sacrifices without due cause being shown; and that had not been done yet. Something like indignation had been expressed at the suggestion that this Bill was a return to Protection; but would not its provisions justify the intelligent foreigner in meeting our advocacy of Free Trade by pointing to our practice and saying—"The supply of your manufactures to us is to you what our supply of food to you is to us. If you endeavour by law to protect the farming interest, we wish to know where is your consistency?" No reply could be made to the intelligent foreigner who used this argument. The American people would be very likely to take the same view of this measure that was taken by large numbers at home; and it was not well that this country, which always proceeded so steadily that it did not need to retrace its steps, should upon this question do anything which other countries could regard as a reversal of its Free Trade policy.

MR. WHEELHOUSE said, he was anxious to denude the question of all false interpretations. He did not say it was a question of Protection or non-Protection; but he believed the House was completely deceiving itself as to the feeling of the country on the measure. The Government did not—he scarcely liked to say dared not—touch the Metropolitan district, which was, practically speaking, exempted from the operation of this measure; and when they considered the vast masses living in the manufacturing districts in the North of England, it was the duty of their Representatives to see that these immense populations were actually fed. If the North of England had been in the slightest degree adequately represented in that House, they would have heard a totally different story on the former stages of the Bill. If he had the slightest reason to suppose that any such modification of the slaughtering clauses of the Bill would be made as would meet the just demands of the teeming populations of our Northern towns, he should be one of the last to oppose its passing. But he had no such hope; and being satisfied that, if the Bill were passed, sooner or later Parliament would have to retrace its steps, rather than be compelled to do that, it would be much wiser and better to leave matters as they were at that moment. He wished that the power at present possessed by the Privy Council should continue to be exercised by it. He knew his views were not generally in accordance with those of his Friends on the Government side of the House; but he always was guided by two main principles. First of all, Imperial politics, if they deserved that name, ought to come first; but, on the other hand, when domestic legislation was necessary in the interests of the great mass of the people, that legislation ought to take precedence even of Imperial politics. This was a case of the greatest importance to the masses of the people. The course which it was proposed by the Government to adopt was, he contended, wrong in principle; but it might be asked, if provision were made for the importation of dead meat into our great towns, what difference could it make whether foreign cattle were slaughtered at the port of debarkation or at the doors of the inhabitants of those towns? The answer was simple. No authority could secure that such meat could be delivered to the people of Leeds or Bradford, for instance, free from taint, after it had been killed, probably, for 48 hours. Again, what, he would ask, was to become of the offal? That, on which a great many of the poorer classes depended as an article of subsistence, would not be fit for use after it had been brought from Hull or Liverpool, for it would not bear carrying, especially in the heat of summer. The fact was, the Bill, in his humble judgment, had been a mistake from beginning to end; it was introduced at a moment when it was not wanted, and in direct opposition to the feeling of all the large towns in the North of England; and it would be far better for the House to agree to the Amendment now before it, than to deal with the matter by passing the Bill. It would be infinitely preferable to postpone the measure, than that the House should create the idea that it was not sufficiently careful of the interests of those to whom the cheapest possible food, provided it was wholesome, was of more consequence than even the breeding operations of this or any other country. He would mention only one other point. He knew that there was a very large number of those who differed from him in opinion, but he would only say that he simply asked himself what was best for the consumer; and he ventured to think that the preservation of the agricultural interests—those of graziers, butchers, or farmers—was less important than the securing of cheap food for the great multitude of the people, and that the Bill was bad, as it would tend to raise prices, particularly in the most populous towns. Being convinced that that would be its result, he could not support the measure; but, on the contrary, should offer the strongest opposition to its progress at every stage.

MR. SHAW LEFEVRE wished to say a few words with reference to the present position of the Bill, and to draw attention to the illogical, if not absurd, position in which it was placed. The course taken by the Government reminded him of that which had been adopted by another Government in 1868, when a Bill for compulsory slaughter in the Metropolis was before the House. That Bill had been opposed by the Metropolitan and other Members, headed by Mr. Milner Gibson; and after it had been read a second time it had been so pared down in Committee, that hardly any of its original groundwork remained, and it was ultimately abandoned. The present Bill was, he thought, approaching that end. When it was before the House of Lords, it was proposed to apply the principle of compulsory slaughter to all cattle from every country; but even the House of Lords could not stand that. The result was, that the United States and Canada, for which an overwhelming case was made out, were exempted. Then, when the Bill came to the House of Commons, the discussion on the second reading showed that five other countries—Spain, Portugal, Denmark, Norway, and Sweden—were similarly placed to the United States and Canada; and to-night the hon. Baronet the Secretary to the Treasury had announced that he was prepared to make a similar concession with regard to those countries. There were, in fact, only 12 countries from which we imported cattle, and seven of them, therefore, would be exempted, and five only subjected to the operation of the Bill. It was true the Secretary to the Treasury had proposed to adhere to the rule of compulsory slaughter, and had given power to the Privy Council to exempt the seven remaining countries, the Government consequently finding itself in the illogical position of being able, by order of the Privy Council, to exempt some countries and not others. It would have been better to have allowed things to have remained as they were, for he (Mr. Shaw Lefevre) did not object to the Privy Council having full powers; but he did contend that Free Trade should be the rule, and compulsory slaughter the exception, which only applied when it was shown to be necessary. In its revised form the Bill would enable the Privy Council to do as they liked with regard to the five countries which had been named, and the two others which were specified by the House of Lords. In the case of Russia, nobody would doubt that the principle of compulsory slaughter, and even of total exclusion, should apply so long as any cattle plague existed in that country. There, therefore, remained only four countries—Belgium, Holland, France, and Germany—and with regard to these, if the Bill was passed, there would be a Parliamentary restriction prohibiting the import of their cattle, except subject to the provision of compulsory slaughter; and if, hereafter, any one of those countries should present a clean bill of health, it would be necessary to obtain an Act of Parliament to remove the restriction of compulsory slaughter. It seemed to him to be a wholly illogical position that that should be the state of affairs with regard to those four countries; whilst with regard to the seven others the Privy Council had power to act upon their own discretion. The Secretary to the Treasury had told them there was no chance that those countries would ever be free from disease; but he wholly dissented from that view, which had been falsified in the case of France. There was every probability that in the future, as in the past, France might be able to present a clean bill of health; so with regard to other countries, especially in the case of Holland; and was it wise, therefore, to impose restrictions in such a form that they could only be removed by Act of Parliament? The only case which the Secretary to the Treasury had made as to France was, that it was an importing as well as an exporting country, and if, therefore, she exported to England, she must import from Germany. But it was not the same portions of the country that both exported and imported cattle. For his part, he believed that all cattle exported from France to England came from Brittany, and cattle there were now considered to be in a perfectly healthy state at the present time. It had been admitted by the Duke of Richmond and Gordon last year that the effect of the compulsory slaughter restrictions with regard to France was to reduce the importation by one-fourth of what it had been before. The Secretary to the Treasury had asserted that France had no more cattle than she wanted for herself. But the answer to that was, if there were perfect Free Trade between France and England, there would be a large import into this country from Brittany, and possibly an increased import into other parts of France from Germany. He put it to the House whether it was worth while to raise the demon of contention as between boroughs and counties? What was the reason why the Government insisted upon carrying the Bill through in its present shape? If they wished to save their honour, their honour would best be saved by dropping an objectionable provision. Another reason had been suggested by a remark which had fallen from the Marquess of Salisbury in the other House, that the object of the Bill was to stereotype the decisions of the present Head of the Privy Council, or, in other words, that the Government now in power wished to bind their Successors. If the Government feared re-action, the best remedy for preventing it was to be conciliatory when they were in Office. He appealed to them whether, having made the concessions they had done, they had not better go a little further, and leave matters practically as they were now as far as regarded compulsory slaughter, going into Committee on the rest of the Bill, as to which there would be very little opposition, and need be little further waste of time? By adopting that course, satisfaction would be given to hon. Members on his side of the House, and every needful security also afforded to the farmers.

MR. NEWDEGATE observed, that the hon. Gentleman who had just sat down (Mr. Shaw Lefevre) had represented the superficial view of the subject before the House. Other hon. Members, too, who had spoken had faithfully represented the ignorance of their constituents, who evidently did not understand the Bill. The Bill was not a Bill for Protection, except against disease. He himself had never been ashamed of owning that he thought the principle of Protection to native industry, so far as to secure fair play in the terms of competition, was a principle which had been unwisely abandoned, and, what was more, many of the working classes had begun to feel this. He had received communications in this sense over and over again, and he had always replied—"It is too soon." He had been asked—"Would you propose the re-imposition of the Corn Laws?" His answer to his constituents from the hustings was that he would see them starve first, and he would see them very hungry indeed before he made that proposal. The Government had weakened their position by their concessions in regard to the Bill. If they intended to secure a low price of meat, they ought to have adhered to the essentials of the measure they had introduced into the House of Lords. In olden times, the House of Commons would have condemned the state of things by which the Government of the day were, through the Privy Council, connected far too intimately with the contractors for food. The people of this country, if they once had reason to feel that the price of their meat depended on the discretion of the Minister of the day, would indignantly repudiate such dependence. Yet the continuance of this state of things was that which the opponents of the Bill recommended. Caring little in their argument for the small proportion of cattle which the foreign supply bore to the whole consumption, they said that any exclusion of cattle must raise the price of meat, and then they committed the regulation of the supply, and therefore of the price of meat, to the Government of the day. Their argument was fallacious. There was no question about excluding a supply of foreign meat. The Bill did not raise that issue. The only question it raised was whether, after having twice had the rinderpest in this country, after suffering from pleuro-pneumonia, and after having had the foot-and-mouth disease so frequently imported that some gentlemen had begun to think that it was naturalized, it was prudent that foreign cattle should be brought into the interior of this country alive, or should be converted into meat at the ports? It was a very unsafe and discreditable position that the Government of the day should be continually dealing and tampering with the import of food. The Bill proposed to place the foreign trade in meat on an intelligible basis by law. It proposed that Parliament should, in that matter, undertake the responsibility, as an alternative for that which their Predecessors, who were more gifted with plain speaking than they now were, would have called an unlimited opportunity for jobbing. The Bill proposed was a precautionary measure which they had cogent evidence ought to be passed into law; but, somehow or other, the feeling about Free Trade was so strong that it had become positively blind. The right hon. Member for Bradford (Mr. W. E. Forster) said—"Only conceive: here is a proposal by which the Government absolutely refuse to import cattle into the interior of this country from foreign countries where disease is known to exist." And the hon. Member who spoke last said—"True, in one part of France there is disease; but I do not believe it is on the coast; it is not in Brittany, and therefore it would be wrong, and a work of supererogation, to insist that French cattle should be slaughtered at the port of entry;" entirely overlooking the marvellously increased means of communication by railway. The hon. Member had made a Free Trade speech against this measure in the narrow and arbitrary sense, which had of late years become fashionable. He (Mr. Newdegate) had seldom heard a more complete perversion of argument. But he admitted that if the House had so little confidence in the intelligence of the people that they dared not relieve the Government from the responsibility of securing the people against dear food as the consequence of the importation of disease among cattle—if the House had so little courage that they dare not pass an Act to relieve the Government from the responsibility of protecting the country against disease, they had no alternative but to recommend the Government to continue in the exercise of these functions. An analogy had been sought to be drawn by the Mover of the Amendment between the present case and the Corn Laws; but corn could not import disease. He had heard of men of whom it was said that they did not know a horse from a haystack; but he could scarcely believe that the typical working man did not know the difference between a sack of corn and an ox. The reasoning which applied to the Corn Laws did not apply to the present measure. It was not proposed to put a tax on foreign cattle, far less to exclude healthy cattle. The question was simply, whether the House of Commons, following the example of the House of Lords, would adopt a precautionary measure against the introduction of cattle disease, against which inspection at the ports, although a palliative, was ineffectual—slaughter affording the only absolute security.

Mr. BRIGGS said, he had expected, when the hon. Baronet who introduced the measure (Sir Henry Selwin-Ibbetson) got up that evening, he was going to announce some important modifications in the Bill; but he simply piled Pelion on Ossa, and gave them no real concession. In point of fact, he had made an unreal concession to an illusory Bill. The question of the cattle disease was one on which doctors disagreed more than on any other. But the House had now arrived at a point on which almost all hon. Members had agreed, and it was this—that wherever an outbreak of cattle disease was found, the infected cattle should be immediately slaughtered, or kept under supervision for a long time. If the Government had determined to pass a measure which would have the effect of preventing the introduction of disease, he could have understood its value; but this Bill did nothing of the kind. If they had determined once and for ever to make a stand against the introduction of disease among our flocks and herds—had they been prepared to deal their blows right and left against foreign and home-bred cattle alike, he should not have said a word against their proposal; but this Bill, this rough-and-tumble measure, stern, unbending, and harsh towards foreign cattle, erred on the side of leniency—he might say, of weakness—towards the home producer. The question was not whether the cattle disease had been imported into this country 10, 15, or 20 years ago, or whether it was indigenous to this country, and had existed long before a single head of foreign cattle was introduced, but whether the disease did exist in the country? In every outbreak of disease that had occurred, though an army of Inspectors had gone through the country, all the information that could be got from them was to the effect that disease had broken out; but how or whence it came only a merciful Providence could tell. Wherever disease was, however, there would as certainly be loss both to the producer and to the consumer. The hon. Member who last spoke (Mr. Newdegate) said they wanted protection, not against the foreign producer, but against disease. That was an admirable proposition—he would not cavil against it; but under this Bill that object would not be gained, and its supporters would get what they strenuously denied they were asking for. They said—"We support the Bill, because we want to stamp out disease; and we would not support it, if we thought it would not have that effect." But, surely, they ought not to refuse to place the same severe restriction upon home-bred cattle which they were placing on cattle introduced from abroad. Why were they to interpose an impenetrable range of Balkans in the way of foreign producers, and leave their own agricultural Sofia undefended? With all respect to the finer feelings of the British farmer, although he might regard the increased price of his cattle with the utmost repugnance, although when he gave his support to this Bill he never expected it would raise the price of meat, still, when he found his purse fuller and heavier he would, with a radiant smile on his rubicund countenance, be found to breathe out the sentiment—*non olet.* Under the Bill, the very strict provisions of the recommendations of the Select Committee were emasculated. It allowed the entrance of that portion of cattle which was affected, and which came more than any other in contact with the flocks and herds which it was the wish of the supporters of the Bill to protect. Now, what was the feeling which animated hon. Gentlemen who supported the measure? It had been argued that under this Bill the supply of meat would be greater. Now, that was a most extraordinary argument. In the history of trade it had never been known that if the course of supply was checked the supply would more easily be attained. If the supply of any commodity was made smaller, how could any one expect that the price would be cheaper? It had been admitted that the price of meat was to be temporarily raised; but he refused to the Government a right to impose on the country the cost of that newest experiment, by which the agricultural portion of the community might be benefited. The tax would fall, not on those who bought the prime joints, but on those who ate the coarser parts of the meat, and still more heavily on those who lived on the offal. Those who consumed the prime joints might not care about 2*d.* or 3*d.* in the lb. any more than some hon. Gentlemen did not care about an addition of 2*d.* or 3*d.* to the Income Tax. But some of his constituents, and many other people throughout the country, could not afford to buy the prime joints of meat, or even the coarser pieces, but had to consume what was called the offal. It was a serious matter to thousands of people in the North of England. If the animals were slaughtered at the port of debarkation, which would be the case, it would effectually debar the offal being sent to the great inland towns, and the poor people would be deprived of a large and nutritious portion of their diet. There was a time when the majority of the people of Lancashire could get neither salt nor fresh meat except at rare intervals; and even then the oaten diet, which incurred the sarcastic contempt of Dr. Johnson, was exceedingly difficult to obtain; but that was remedied by removing from the Statute Book bad laws never to be replaced. In these high pressure times, it would be wrong to debar the poorest of the working classes of a free and good supply of animal sustenance. The division on the second reading was a subject of melancholy reflection to the Liberal Party. It was melancholy to see Scotch and Irish Liberal Members running their heads directly against the simplest axioms of Free Trade and political economy; and for what? In order that there might be stamped out a disease, the presence of which was in great measure owing to the supineness of the English farmer himself. Either the Bill would be a success or it would not. It was said that Irish cattle would be raised in value £5 a-head; but if the Bill were a success, and our flocks were increased, the price of meat would be cheapened, so that the value of the Irish cattle would not be raised; and if it were not a success, and if some cases of disease were found among Irish cattle, a clamour would arise that disease was brought from Ireland, Irish cattle would have to be slaughtered at the port of debarkation, and the Irish producers would find themselves undersold by the only people who had any reason to fear them. And how would Scotch producers be affected if the dead meat trade were enormously increased, as some of the supporters of the Bill anticipated it would be? In the former division, hon. Members were misled by a sort of Will-o'-the-Wisp on to the bog of Protection to their own destruction. Many of them had told him they did not like the Bill—they had only voted for it in deference to a certain amount of feeling in their constituencies—and meant to oppose it strenuously in Committee. They had now offered to them an opportunity for recantation. They had voted once in spite of the stifled whisperings of their Free Trade conscience; and let them now support those who on this occasion wanted to refuse to discuss this Bill. It was, therefore, to be hoped they would, after calm deliberation, save the time of the House by refusing to go into Committee on a Bill which was unjust and illusory, whose inevitable effect must be Protection, and which must, therefore, increase the price of the food of the people.

Sir HENRY JACKSON said, that hardly anyone had spoken in favour of the Bill that night, except the hon. Gentleman the Under Secretary to the Treasury, and the hon. Member for North Warwickshire (Mr. Newdegate); and that suggested that the Government considered they had done all that the occasion required, and were throwing upon those who endeavoured to obtain more satisfactory assurances from them the burden of the suggestion that they were obstructing the Bill, or simply wasting the time of the House. He repudiated that position; and he was not without hope that what had been said would yet receive some attention from the Government. After a four nights' debate on the second reading they had succeeded in obtaining that which was by courtesy called a concession; and he ventured to urge that the further ventilation of the subject would issue in something satisfactory to the strong and earnest minority which opposed the Bill. The views of the minority could be pressed with more earnestness than usual, because they had been warmly endorsed by many of the usual supporters of the Government. His right hon. Friend the Member for Bradford (Mr. W. E. Forster) had expressed himself as to some extent satisfied with the concession announced by the Government; but he (Sir Henry Jackson) must say it appeared to him that his right hon. Friend must be satisfied with very small mercies, unless there were—as there might be for what anyone knew—a kind of Schouvaloff-Salisbury understanding behind the ostensible discussion of the measure. The support which the Government received in the debate on the second reading from many of their followers was not of that fervent and unanimous kind to which experience showed they were accustomed. Many acquiesced in the second reading of the Bill with the reserve that they might oppose it on the third reading; and all thought that the true significance of the majority was merely to indicate a feeling in favour of some restriction on the importation of cattle. Under this idea the majority on the second reading was much larger than the Government, in their most sanguine moments, anticipated. Was it not possible now that the Government might make some concession even to their own supporters? The Government were willing to exempt five countries from the slaughter of their cattle at the port of debarkation, but under conditions which would, practically, make that exemption almost valueless. He hoped the time for concessions was not yet passed. Let it be conceded that it was necessary to make some alterations in the law as it at present stood, and that the Government could not abandon all the fruits of their victory. The Opposition must submit to that; but were not debarred from asking that the victory should not be pushed too far. In that view he had a suggestion to make which he hoped would meet the approbation of the Government. Why should not the Privy Council be intrusted with absolute discretion to remove that fetter on trade whenever they thought that a case was made out for so doing? The Government would thus get the principle for which they were contending—namely, that no fat cattle should be imported without permission, and the prohibition would remain, unless and until it was shown that no danger was apprehended. Suppose the burden should prove harder than they could bear, or that all danger of infection in a prohibited country had passed, should there not be some authority which could at the moment remove this terribly dangerous restriction, and allow the trade of the country to have its natural course? He did not anticipate such a very serious crisis would be likely to follow from that legislation, as some of those had done who had taken part in the discussion. He did not care to speculate; but as there were so many prophecies about, he might say that his own idea was that the immediate effect of this Bill would be to stop and check that downward tendency which rents of real estate had manifested for some time, but that being an abnormal interference they would incur the danger of a reaction, which would disappoint those who expected the greatest benefit from the Bill. This, however, was necessarily uncertain; what was certain was this—that an enormous industry to supply an absolute necessity had been created, and that the Government proposed, without establishing a case which alone would justify so serious a step by way of speculation, to put, for the first time for a long period, a fetter upon the natural course of trade. Had the necessity or even the advantage of what they were doing been proved it might have been different; but they were acting on mere speculation. All that the opponents could do was to stand aghast at the natural and inevitable consequences. He urged the Government, if they intended to force on this measure, so to carry it out that there might be a *locus penitentiæ*, in case the scheme turned out to be disastrous or unnecessary. He threw this out, not because he approved of the Bill at all, but in the hope that the Government would make some concessions which the minority could adopt, not concessions fenced with provisoes about so as to be nugatory. He suggested, then, that the Government should at once say that, though cattle should be slaughtered at the port of debarkation, still in regard to every country the Privy Council should have a dispensing power, which they might exercise whenever they thought it could be safely done.

MR. HOPWOOD supported the Amendment, and regarded the Bill as a measure to make consumers pay for the losses of the manufacturers of a great article of food. They were told that the Bill was not a Party move, because some 40 hon. Gentlemen on his side voted for it, and they must not say it was a step towards Protection, because they were told that on the other side of the House there was not the slightest feeling in favour of Protection. But if the Bill were not promoted by Party, or by a desire for a protection, it should be thorough-going; and he thought the conduct of the Government in regard to this Bill, seeing the many changes that had been made, and the way in which they had yielded to pressure, was unworthy of the Ministry. Was it patriotic and statesmanlike, on the part of Her Majesty's Ministers, to bring in a measure of that nature in obedience to the strong pressure put upon them by their own Party? If they did not approve of the Bill, let them drop it; but if they did, why did they not defend it? If the Bill had not been brought in from Party or Protectionist motives, and yet was illogical, he wanted to know what defence the Government had for introducing it? The regulations proposed by the Bill might, in most instances, be carried out through the medium of existing Acts; but if it was necessary to give the Privy Council further powers, that could have been done without all this parade. The Government had, to some extent, lightened the Bill; and he hoped that the remainder of the debate would show that there was much more which they would be induced to throw overboard.

MR. RATHBONE said, he wanted to know where they really were in the discussion on that question? He confessed that he had come down to the House under the belief that Her Majesty's Government were prepared to make concessions to the opponents of the Bill which would have the effect of putting an end to any further lengthened discussion. Having, however, listened to the explanations and proposals of the hon. Baronet the Under Secretary to the Treasury, he must say he failed to agree with his right hon. Friend the Member for Bradford that, practically, any acceptable concession was really made. As he understood, the rule was to be compulsory slaughter in all cases in which, as was said at first, it was not proved that cattle plague did not exist in the country from which the cattle came, or, as was subsequently said, was not prevalent. In other words, if a vessel arrived with foot-and-mouth disease on board the country would be scheduled from which it came. The exemption of the five countries was so hampered as to practically be no exemption at all; and the concession, therefore, was, in his view, as great a delusion as the Bill was. The opinion of the hon. Baronet was, in fact, shown by his own original draft Report; and he had intimated pretty plainly in the course of the debate that that opinion was very little changed. If that opinion were carried out, all that the opponents of the Bill desired would be attained. It was said that all countries, save the five referred to by the hon. Baronet, ought to be left to be dealt with by the House of Commons; but that was exactly what the Bill did not do. They would be dealt with, not by that House, but by the House of Lords; and against that he protested, for one of the matters of which they complained was, that the hands of the House of Commons were virtually to be tied. The Bill was a delusion, for this reason—that on the strength of restrictive clauses which might not be carried out, restrictions were to be imposed on the home trade —on Irish graziers, for instance—which he believed would not be regarded. Statutory restrictions as to compulsory slaughter were to be imposed on the foreign trade. As regarded the carrying out of the provisions of the Bill, who was it that could bring the greatest pressure to bear on this matter? Why, the chief supporters of Government on the other side of the House, those whose interests were connected with agriculture; and yet the exceptional powers which might be affected by pressure were to be left in the hands of the Government at their discretion, while compulsion was resorted to in all its other parts. That was a confession of weakness which he considered unworthy of a strong Government and of a great country. For his part, unless much more satisfactory concessions were made by Government than those already offered, he would continue to oppose the progress of the Bill.

Mr. BARRAN observed, that the arguments advanced against the measure by the hon. Members representing the large constituencies had been, in the main, of a conclusive character. It was true, as had been stated by the hon. Baronet opposite (Sir Henry Selwin-Ibbetson), that since the cattle plague of 1865 there had been a state of alarm amongst the farming classes of this country which had led them to demand the introduction of a measure of this nature; but he was sure that the Bill, if it accomplished the objects which the farmers had in view, would result in entailing an enormous taxation on the community at large. He could not view this question from the point of view of the agricultural interest merely, but must take it as it affected the whole country. There were facilities in these days for the conveyance of cattle far superior to those which existed 25 years ago. He took it, not only the large manufacturing districts of the country, but throughout England, the demand for fresh meat had grown very largely; and if the price were increased in the manufacturing districts, through a deficiency of supply, it must necessarily be raised also in the agricultural districts. They would have not only the comparatively well-paid population of the country suffering from a considerably enhanced cost of meat, but they would also have a poorer population suffering from the same cause, and suffering still more keenly. He believed that the raising the price of meat would not only affect the whole community in its food, but that—if their fears were realized—it would largely diminish the purchasing power of the people in regard to other commodities at a time when it was necessary that all that could be should be put into the channels of trade and commerce. It had been said that if the Bill as it now stood were passed there would be no difficulty in regard to our meat supply; but he was convinced that there was no greater fallacy than to suppose that the dead meat supply would continue to increase as it had done lately. Not only the large towns, but all the smaller towns and villages throughout the Kingdom, would be prejudicially affected by the stoppage of the movement of foreign cattle. A great deal had been said about the supply of dead meat from abroad; but every commercial man knew that enterprizes of the kind invariably induced people to go into them with the view to being the first to secure the profits of the trade; but there were few exceptions to the rule that such speculations ultimately entailed severe losses upon those who rushed heedlessly into them. In time, things would, of course, right themselves, and the trade would become a steady, but never a very large one. We had also been told that the dead meat trade was one which would give to the community wholesome food; but, in his opinion, there would be great danger to the health of the people from the importation of dead meat. Whatever might be the vigilance of Inspectors, or of sanitary committees, under large Corporations, there would, from time to time, be imported into this country meat which would find its way into our markets and into our houses for domestic consumption, which would, in all probability, produce disease amongst those who had to partake of it. If the grounds upon which the Government claimed to rest this exceptional legislation were so important, as had been represented, where were the facts and figures to prove their case? The Government ought to have shown how, when, and where, foreign importations had affected our flocks, but they had not done so. Evidently, the great object of the Bill was to protect the British farmer against foreign competition; and, that being so, he would cordially support the Amendment of the hon. Member for Finsbury (Mr. W. M. Torrens).

SIR WILLIAM HARCOURT complained that Her Majesty's Government had dealt with only one of the objections that had been taken to the Bill. Two objections had been taken to it—one referred to the restriction upon the importation of foreign cattle; the other was, that the provision for putting down disease among the home cattle was too slight. They had endeavoured to combat the first; but, with reference to the second, not a word had been said. The House, of course, was in ignorance of what had taken place at the mysterious meeting of the supporters of Her Majesty's Government which had been held that afternoon; but they might rely upon it that it had not been determined to make the restrictions upon the movement of home cattle more severe. He wished to say a few words upon the Bill with respect to home cattle. What was the situation in which the Bill stood with reference to them? The principle of the Bill, as stated by the Secretary to the Treasury, was compulsory slaughter as regarded foreign cattle, and, therefore, it must rest with those who wished to introduce any, either to prove that no disease existed in the country from which they came, or that it was not prevalent there. The Privy Council were not to allow any foreign cattle to be moved inland from the port of landing unless such proof was given. It was then accepted that no cattle should be imported from countries which could not show they had no disease among them. That being so, would the hon. Member for South Norfolk (Mr. Clare Read) accept that principle for the home cattle? If not, the principle of the Bill remained the same. Would he say that no cattle should be moved out of Norfolk, unless it could be demonstrated that in Norfolk there was no disease, or that disease was not prevalent there? Would hon. Gentlemen accept that principle with regard to Ireland? Would they say that no cattle from Ireland should be allowed to leave the port of importation—Liverpool, for example—unless it could be demonstrated that there was no disease in Ireland, or that disease was not prevalent there? ["No, no!"] Well, then, if they would not, what rubbish it was to say—[*Murmurs*]—well, what nonsense it was to say that this was a Bill to put down disease. There was nothing peculiar about Irish cattle. They carried disease just as much as Spanish, Swedish, or Dutch cattle; there was nothing in the nationality of a beast, and Irish beasts carried disease just as much as any other. Why, then, did not they apply the same rule to Ireland? Because they knew that hon. Members from Ireland would not stand it. How, then, could it be said that this Bill was one to put down disease, or how did it meet the justice of the case? As long as they left the restrictions upon home cattle as loose as they were now, they could not satisfy any reasonable man that the Bill was a *bonâ fide* measure to get rid of disease. Would the hon. Member for South Norfolk say there was no disease in Norfolk, or that disease was not prevalent there? And yet the hon. Gentleman demanded that cattle should be moved out of Norfolk and into Norfolk. Hon. Gentlemen would throw the onus of proof upon foreign countries, but would not accept it themselves. They were in the position of the Scribes and Pharisees, who laid burdens upon other people, but would not touch those burdens with their little finger. The hon. Member for South Norfolk said, in his first speech, he would be glad to see the restrictions applied to the home cattle. Would he move an Amendment to that effect in Committee? [Mr. CLARE READ: Let us go into Committee, and then I will do so.] He was glad to hear that declaration, and would support the hon. Member if he did so; but he feared he would obtain little support from the Members of his own Party. When the concessions were made with respect to the foreign cattle, why did we not hear anything about the home cattle? Every foreign beast that came into this country was brought under inspection; but that was not the case with every beast in Norfolk. The fact was, the Government had much greater certainty of inspecting foreign cattle when they arrived than they had of inspecting the home cattle. The Government cast upon the Privy Council the responsibility of saying when restrictions should be placed on the home cattle; but they would not do that where the foreign cattle were concerned. But if they could trust the Duke of Richmond and Gordon, with respect to the home cattle, why not with respect to the foreign? If they could trust him with respect to a particular farm, why not with respect to a particular country? As regarded foreign cattle, it seemed to him that the groundwork of the Bill was a Vote of Want of Confidence in his Grace the Duke of Richmond and Gordon. If the President of the Council was to judge with respect to five countries, why not with respect to all countries? If the Privy Council could form a judgment in one case, why should they not do so in another? Without desiring to protract the discussion, he would press upon the Government, that if they desired those who were interested in the consumption of meat throughout the country to accept their view—that the Bill was intended to increase the supply of meat by putting an end to diseases—they must give an earnest of their good faith by showing that they were prepared to deal with disease among home cattle in the same manner, and to the same extent, as they dealt with it among foreign cattle. Until they did that, the Opposition could not accept their assertion that the Bill was intended to put down disease.

MR. ASSHETON CROSS regretted that it fell to his lot to answer the right hon. Gentleman the Member for Bradford (Mr. W. E. Forster), owing to the absence of the Leader of the House. The speeches he had listened to for some time showed that the House was, at all events, prepared to go into Committee. Were the debate to be continued ever so long, the House would not be wiser than it was at that moment, for the matter had been thoroughly thrashed out, and most of the speeches dealt with points that could be best discussed on Amendments in Committee. Therefore, he would ask the House to allow the Speaker to leave the Chair, not for the purpose of proceeding with Committee that night, but to secure a stage, so that on a future, and he hoped an early, day they would be able to go on with the Bill. He must say that he had listened to some of the speeches with great astonishment. It had been contended by several speakers that the measure was one in favour of Protection; but having been all his life a strong Free-Trader, he was not likely to favour a Bill for giving Protection, neither could he admit that the present measure involved the slightest return to its principle; and he did not believe that the Bill justified the apprehensions about dear beef which had been adduced in very courteous language in that House, and put forward in strong language "elsewhere." The hon. Member for Liverpool (Mr. Rathbone) had said that he could not understand what the Government intended to do. He (Mr. Cross) would repeat what he considered had been very clearly explained by his hon. Friend the Secretary to the Treasury. Of the two objections that were taken to the Bill, one was taken to the 5th Schedule, which related to quarantine. The Schedule said—

> "The foregoing provisions of this Schedule (under the head of Slaughter at Port of Landing) do not apply to animals intended for dairy or breeding purposes, or for exhibition."

The objection was, that it was extremely illogical if you were going to slaughter fat cattle for consumption, you ought also to slaughter store cattle; because, if they were allowed to go into the country, they would be more likely to spread disease than fat cattle. His hon. Friend said it was proposed by the Government to apply the same rule to both. These words would be struck out, and quarantine would be allowed only in the case of animals intended for exhibition, Zoological Gardens, and other peculiar cases which could be dealt with specially, and which would be required to undergo a kind of quarantine. Otherwise, the rule would be the same for store cattle and for fat cattle, and both would be slaughtered at the port of debarkation. The store cattle would be few in number; practically, they would cease to come at all. Only 10,000 came in the course of a year, and if they came to a port they would have to be slaughtered. The other point related to the five countries where it was alleged disease did not exist to any large extent—Spain, Portugal, Sweden, Denmark, and Norway. His hon. Friend said that although the Bill started by saying that cattle from these countries were to be slaughtered at the port of landing, yet it would rest entirely with the Privy Council to relax the order, and the Privy Council would have the power to do it, not when there was no disease, but when it was proved to their satisfaction that disease was not prevalent in those countries. Hon. Members might see that a country might be free from disease, and if cattle were allowed to come from that country to this because it was supposed to be free, care must be taken that it was not made a vehicle for cattle coming from countries in which disease prevailed. If the Privy Council were satisfied that disease was not prevalent in a country, and that reasonable precautions would be taken to prevent a country being made a vehicle for the passage through it of cattle from countries where disease did prevail, the Privy Council would allow cattle to come in from that country. The Privy Council would be left with absolute discretion to allow cattle to come from those countries, as they did now, if they were satisfied that disease was not prevalent, and that they would not be made vehicles for diseased cattle passing through. At present, the Privy Council might stop cattle coming from these countries at any moment they chose. Under these circumstances, he did not see how meat could be made any dearer than it was now. The only countries that would be affected by the statutory provisions of the Bill as altered weuld be those from which import was now absolutely prohibited, or the cattle from which must now be slaughtered at the port of debarkation. All cattle which now came from abroad would come in still, and only import from those countries from which it was at present prohibited would be prohibited by the provisions of the Bill. Those countries from which the import of cattle was prohibited altogether were Russia, Germany, and Belgium. Then there were the scheduled countries—Russia, Germany, and Belgium for sheep; France and the Netherlands for cattle and sheep. These would remain precisely as they were; and what was done could not possibly raise the price of meat. Do not let them raise a false issue. There was no doubt that it was an essential benefit, not to the producer simply, but still more to the consumer, that cattle should be produced in this country as largely as possible. Russia, Germany, and Belgium were all liable to send us disease, and the importation of cattle from those countries had now been prohibited for 18 months. Nevertheless, he had not heard any complaint in the course of the debate that the price of meat had risen in consequence. Knowing the terrible ravages which had happened among the cattle introduced from Russia, no one would say that strict regulations were not necessary. But in the case of Holland and France, the danger lay in cattle from other affected countries being passed through their borders into England. France was not an exporting country, and if she did export it was necessary that she should import for her own purposes. It had been said that this was a question of cheap and dear meat, of town and country, &c.; but it was nothing of the kind. It was simply whether the present state of things was to be altered by an Order in Council or by an Act of Parliament. The only question between them was how the importation of cattle could be most safely carried on. Some countries were infected with disease, and it was said that those countries could be reached by Orders in Council, while the Government considered that it would be better to deal with the question by the Bill, and this difference of opinion was magnified into a great political squabble. If hon. Members could make a great political question out of that, they were cleverer than he took them to be. Those who opposed the Bill seemed to think that Orders in Council were more to be trusted than they themselves. On that point the right hon. Gentleman the Member for Bradford (Mr. W. E. Forster) was inconsistent; he said, first of all, in the strongest manner, that Orders in Council might be trusted, and then he went on to argue in respect to the regulations as if the Privy Council were not to be trusted. But before he sat down, he had entirely answered his own argument; for he said, when he came to the special regulations that might be made as to pleuro-pneumonia, that they were all to be made by Order in Council; and he wanted these regulations to be made before the Bill passed. The right hon. Gentleman must not blow hot and cold at once. The hon. and learned Member for the City of Oxford (Sir William Harcourt), for his part, seemed to fall into a misapprehension with regard to Ireland. His remarks seemed to have been prompted by his disappointment at finding so many Irish Members in favour of the second reading; and he was now trying to prevent them supporting the Motion to go into Committee, by warning them that the Bill contained regulations prejudicial to Ireland. Surely for the purposes of this Bill, the United Kingdom might be treated as one country? Why should Ireland and Scotland be treated differently, any more than that one county should be treated differently from another? Then, with regard to home regulations, the hon. and learned Gentleman seemed to forget that between Clauses 10 and 25 most stringent powers were given to the Privy Council in regard to this country; and he could not but express a hope that the hon. and learned Member would read those clauses before he again trespassed on the good nature of the House in speaking of that part of the Bill. He would not trespass further on the patience of the House; and he hoped the Speaker would now be allowed to leave the Chair, though not for the purpose of proceeding with the Bill in Committee that night.

The Marquess of HARTINGTON: Sir, I agree with the right hon. Gentleman who has just sat down (Mr. Cross), that it will be most desirable for the House to go into Committee on this Bill without further delay. I do not think that we shall derive all the advantage from this measure that seems to be expected by some hon. Members on both sides of the House. But I do think that it is extremely desirable that the measure, in which, rightly or wrongly, so very great an interest is taken by the whole agricultural classes of this country, should not be hastily discussed, but should receive the most full and fair consideration at the hands of the Committee of the Whole House. The discussion which has been raised is a very useful one for the preparation of this Bill in Committee. The debate upon the second reading has turned almost exclusively upon the most important, but still not the only point in this measure, for it has turned upon the provisions of the Bill with regard to the importation of foreign cattle, and comparatively little has been said respecting the provisions for cattle at home. The right hon. Gentleman the Member for Bradford (Mr. W. E. Forster), and the hon. and learned Member for Oxford (Sir William Harcourt), at a later period, endeavoured to call attention to the provisions of the Bill with regard to the movements of cattle at home. But I think, if it were possible on this occasion, we should have taken a view of this measure as a whole, regarding the home regulations at the same time as the foreign ones, and we should then have been better prepared than we shall be now to enter into the discussion of the clauses in Committee. But it seems impossible for us to divert our attention from the main provisions of the Bill with regard to the importation of cattle; therefore, I doubt whether any useful object can be gained by continuing a discussion, which has been a very full one, upon the principle adopted by the Bill with regard to the importation of foreign cattle. With respect to this principle, the Government have made certain concessions—concessions which I think it is rather to be regretted were not announced at an earlier stage of the Bill, and which, if they had been so announced, must have considerably influenced the debate. I am far from saying that I consider these concessions adequate or satisfactory; on the contrary, it appears to me to have been shown by the right hon. Gentleman the Member for Bradford that they will lead to a great amount of unnecessary confusion. But I must admit that the concessions do show, at all events, this—that the Government are not insensible to the representations made by many hon. Members on both sides of the House. The unreasonableness and the impolicy of the principle upon which the Bill was originally drawn, requiring the unconditional slaughter of all foreign cattle at the port of landing, has been somewhat modified; and I think I shall be supported by many hon. Members on this side of the House in asking the Government when we go into Committee, to plan these concessions on a more reasonable basis. It is desirable that these concessions should be discussed in Committee, and the right hon. Gentleman appears not to have altogether apprehended the argument which was addressed to the House by my hon. and learned Friend the Member for Oxford. He asked the reason for this inequality of treatment between foreign and home cattle? That is a question which the right hon. Gentleman has not answered. According to statements of the Government, the law remains exactly as it now stands in some respects; for the Privy Council is to have the power of releasing certain foreign countries from which cattle are now admitted from compulsory slaughter. If that discretion is to be given to the Privy Council in some cases, why is it not to be given them in the case of Germany, France, and other countries? It may have to deal with them in the course of a few months, and at any time they may be as free from disease as the five excepted countries? On what ground, therefore, can the right hon. Gentleman justify depriving the Privy Council of the discretion in the case of the other countries. The House and the country will desire to know why there is to be this difference and total inequality of treatment in the cases of home and foreign cattle, and upon what principle it is to be justified? The right hon. Gentleman says that certain changes of the law ought not to be in the hands of the Government alone. He says that the discretionary changes made by the Privy Council, or by some part of the Government, will be laid before Parliament. But why should not the Government adopt the principle of giving full discretion to the Privy Council, with the proviso that the Orders are first to be laid before Parliament? The principle he adopts is that of absolute exclusion, which is not to be relaxed without the forms and ceremonies of passing an Act of Parliament. In a year or two, cattle from France, or any other foreign country, may become free of disease. But it will be necessary to pass a Bill through this House and the House of Lords—which, in some of these measures, may be inclined to take a different view from that taken by this House—before such cattle can be admitted. I regret, as I have said, that we should not have been able on this occasion to take a more full and complete view of the provisions of this measure as regards this country and foreign countries; but it does not appear to me that any great advantage would arise from continuing the present discussion. I think that the hon. Member for Finsbury (Mr. W. M. Torrens) was perfectly justified, in the absence of any indication of the intention of the Government, in raising the question he did raise at this stage of the Bill; but I also think that, after the valuable concessions announced by the Government, and the spirit which they have shown in meeting the views expressed on both sides of the House, that my hon. Friend will do well not to press his Motion to a division, but will allow the Bill to be considered as soon as possible by a Committee of the Whole House.

MR. W. M. TORRENS said, that, after the expression of opinion on both sides of the House, he was bound to say that he had accomplished by the debate more than he could have anticipated; and that, in accordance with the suggestion of the noble Lord, he would not press his Motion to a division.

Amendment, by leave, *withdrawn.*

Main Question, "That Mr. Speaker do now leave the Chair," put, and *agreed to.*

Bill *considered* in Committee.

Committee report Progress; to sit again upon *Thursday.*

MR. W. E. FORSTER asked, when it was proposed to proceed further in Committee?

SIR HENRY SELWIN-IBBETSON said, he would state on Thursday when it was proposed to go into Committee again.

BISHOPRICS BILL—[*Lords.*]

(*Mr. Assheton Cross.*)

[BILL 197.] SECOND READING.

Order for Second Reading read.

MR. ASSHETON CROSS, in moving that the Bill be now read a second time, said, it was under consideration last year; but there was not sufficient time to admit of progress being made with regard to it. He was bound to say that, in his opinion, and with a full knowledge of the work of the Bishops, that no body of men worked harder or did more good. In some cases they were so much overworked that they were justly entitled to material assistance. He did not think that the House for one moment would sanction, nor was he in favour of, any large increase of the Episcopate; but he did, nevertheless, think that some limited increase such as the Bill proposed was absolutely necessary. He was glad to say that no money was asked for by the Bill, inasmuch as sufficient endowments had been voluntarily subscribed. No one, he believed, objected to the provisions of the Bill, and all, so far as the See of Liverpool was concerned, would agree with him as to the utility of the proposal, and the adequacy of the endowments that had been given. He begged to move the second reading of the Bill.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. Assheton Cross.*)

Mr. DILLWYN, in moving that the Bill be read a second time that day three months, said, he did so because he considered the existing connection between Church and State was one which conduced to the good of neither. He should not at that time trouble the House with any long statement, as all the objections he had to urge had been brought forward on former occasions. He could not, however, tell what new circumstances might arise to induce his right hon. Friend opposite (Mr. Assheton Cross) still further to increase the Episcopate; and he must therefore oppose the addition now proposed to be made. Holding, as he did, the view that the connection between Church and State was prejudicial to both, he was in favour of disendowment, and had no wish to see the Establishment increased. Particularly he objected to an increase, not in the working, but in what he might call the non-effective part of the Establishment. As a member of the Church of England, he desired to see it do as much good during its life in connection with the State as it could; but he did not believe that the extension of the non-effective part of the Clergy would at all conduce to that end. If it were wished to increase the utility of the Church, the Establishment of working Clergy should be extended. For his own part, as a Churchman, he did not like the creation of this inferior order of Bishops. He preferred a high class of Bishops, and did not think it desirable that the number should be increased; for, if largely augmented, they would be likely to interfere unduly in the affairs of their Dioceses. In his opinion, the less interference there was with the religious matters of the people the better; and for that reason he did not wish, by an increased Episcopate, to give greater facilities for interference. He would rather see the Bishops remain an Appellate Body, than take a more active part. But it was not only on this ground that he objected to the Bill. The right hon. Gentleman the Home Secretary had stated that there could be no objection to the Bill, because no public money was asked for, the necessary funds having been raised by subscription. That was one ground of his objection. He did not like to see the begging-box sent round for these purposes, nor weak women and others induced by priests to give money for the creation of new Bishoprics, while the money ought to be better bestowed on their own relations. Cases had come to his knowledge of money having been given for these endowments, which would have been much better applied for the benefit of the families of the donors. These arguments had, no doubt, been urged over and over again; but he should always oppose an extension of the Episcopate, and the more that he saw the present Government so inclined to increase it. He would conclude by moving the rejection of the Bill.

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day three months."—(*Mr. Dillwyn.*)

Question proposed, "That the word 'now' stand part of the Question.

Sir ANDREW LUSK thought the Home Secretary ought to give the House a fair opportunity of discussing this measure. The Church was a Department of the State for the management of which the House was responsible, because it helped to make the laws which governed the Church. To ask for more Bishops, therefore, was the same as asking for a change in the number and constitution of the Army or Navy. The House should consider that in extending the Episcopate it was increasing the number of officers of a Department of the State. This was not a question of money, but one of expediency as to whether or not more officers were required. Remembering that the Church was a Department of the State and that they were responsible for it, he should say that if more officers were needed they should be volunteers. ["Oh, oh!" *and confusion.*] If the House would not hear him, he should move that the debate be adjourned.

MR. BIGGAR seconded the Motion. He did not think that there was any doubt that a considerable number of hon. Members of the House were in favour of the disendowment of the English Church. For that reason, it would be well for the supporters of the Church to give a little more time for the consideration and discussion of the measure, and not to expect to push it on without giving hon. Members an opportunity of expressing their views upon the subject.

Motion made, and Question proposed, "That the Debate be now adjourned." —(*Sir Andrew Lusk.*)

MR. ASSHETON CROSS hoped the Motion for the adjournment of the debate would be withdrawn. With respect to the observations of the hon. Member for Swansea (Mr. Dillwyn), the arguments used by him were brought forward two years ago, when the subject was fully discussed, and the House expressed its opinion.

Question put, and *negatived.*

Original Question, "That the word 'now' stand part of the Question," put.

The House *divided:* — Ayes 188; Noes 60: Majority 128.—(Div. List, No. 199.)

Main Question put, and *agreed to.*

Bill read a second time, and *committed* for *Friday,* at Two of the clock.

MUNICIPAL CORPORATIONS ACTS BILL—[BILL 238.]

(*Sir Henry Selwin-Ibbetson, Mr. Secretary Cross.*)

SECOND READING.

Order for Second Reading read.

SIR HENRY SELWIN-IBBETSON, in moving that the Bill be now read a second time, said, it was intended as a consolidation of the present Acts relating to Municipalities. A great number of clauses re-enacted the provisions of the various Statutes; but some of the provisions which had become unnecessary had been omitted. In some small matters, amendments had been made; but the main provisions of the Acts in question had simply been consolidated. He begged to move the second reading of the Bill.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Sir Henry Selwin-Ibbetson.*)

MR. HIBBERT trusted his hon. Friend the Secretary to the Treasury would not press the second reading of the Bill, as it had only been printed on Saturday last, and it was impossible for hon. Members to have seen it. Some of the provisions of the Bill were very important, and he thought time should be allowed for the municipalities to consider and express their views on the measure.

MR. ONSLOW also hoped the second reading would not be pressed that night. Every Corporation in England ought to have ample time to consider the Bill before it was passed.

MR. GOURLEY thought the hon. Gentleman would act wisely in postponing the Bill. An important alteration was made by the Bill in the manner of the election of some officers, and that provision alone required careful consideration. He moved that the debate be now adjourned.

MR. LEEMAN seconded the Motion.

Motion made, and Question proposed, "That the Debate be now adjourned." —(*Mr. Gourley.*)

SIR HENRY SELWIN-IBBETSON said, he was prepared to accept the suggestion that the Bill should not be taken at an unreasonable time.

Sir CHARLES W. DILKE said, there was great necessity for the provisions of the Bill being thoroughly understood. The 6th clause of the Bill had already passed the House that Session in another measure, and had also passed through Committee in the House of Lords. He supported the Motion for the adjournment of the debate.

Mr. WHITWELL hoped the hon. Baronet opposite would allow the debate to be adjourned in accordance with the suggestions made on all sides.

Mr. DILLWYN observed, that there had been no opportunity of moving Amendments to the Bill, as it was only in print that morning.

Sir HENRY SELWIN-IBBETSON said, that he was willing, as he had already stated, that the debate should be adjourned till Monday next.

Motion *agreed to.*

Debate *adjourned* till *Monday* next.

FRESHWATER FISH PROTECTION (*re-committed*) BILL—[Bills 131-235.]

(*Mr. Mundella, Mr. James Duff, Mr. Michael Bass, Mr. Spencer Stanhope.*)

COMMITTEE (ON RE-COMMITMENT).

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."—(*Mr. Mundella.*)

Mr. FAWCETT said, he did not wish to offer the slightest opposition to the Motion; but he must confess that the Bill was extremely difficult to understand. Being a fisherman himself, he was very anxious that anglers should fully understand the Bill. He had read the Bill for an hour that morning, but must admit that he could not understand it; for when he asked his hon. Friend the Member for Sheffield (Mr. Mundella) if his interpretation was correct, he was informed that he entirely misunderstood the Bill. Therefore, he could not but ask the House what would be the position of those who would have to obey this Act, if passed? If Members of Parliament with their experience were unable to comprehend the measure, what probability was there that hundreds and thousands of fishermen who would have to obey the law would be able to understand it? It seemed to him that the Bill had a radical defect, for it could not possibly be understood without referring to some 10 or 12 other Acts of Parliament. There was one point upon which he should like some explanation—namely, Clause 7, which related to licences. At the present time, when a body of Conservators managed a river, they had power to charge for a licence to all who fished for salmon. As he understood the Bill, that power was extended so as to include fishing for trout and char. Therefore, any person—even a school boy—who had a day's trout fishing must get a licence from the Conservators. And the Bill placed no limit upon the amount of the licence, so that under the Bill, persons might be made to pay 10*s.* or £1 for a single day's fishing. He would also like to have some explanation of Clause 11, which provided that any person should make himself liable to summary conviction, if, between March 15 and June 15, he should catch, or wilfully intend to catch, any fish, except trout and char. Now, it was absolutely impossible, while fishing in a stream in which were trout and grayling, to tell which would be caught. It could not be intended that any person who thus accidentally, and without the possibility of avoiding it, caught a grayling between those months, should be liable to punishment. Another clause required elucidation — that giving an extraordinary power of search to the police. The police were to be permitted to search in anyone's house they pleased, if they suspected that fish was concealed there. In principle, he was in favour of the Bill, and had done all he could to understand it. But, although he had done his best to comprehend the Bill, he required an explanation to remove his doubts on the points he had mentioned. The Bill was printed and circulated only on Saturday, and there had been no time for hon. Members to place Amendments on the Paper with regard to it.

Mr. MUNDELLA said, that when first introduced, the Bill simply proposed to give a close season to freshwater fish. A Bill for that purpose was passed for the counties of Norfolk and Suffolk; and it seemed desirable, in the interests of promoting a healthy sport, and of increasing the food of the country, that that Bill should be extended to the whole country. At the time he introduced the Bill, he had no idea that so much interest would be expressed in it throughout the country. He was really surprised at the amount of interest in the Bill evinced by people in all parts of the country, and the offers of assistance he received on all hands. The right hon. Gentleman the Home Secretary desired the Bill to be referred to a Select Committee for inquiry, and a Committee of 15 hon. Members taken from both sides of the House was appointed. The Report was unanimously agreed to, all parties being in favour of the increase of a healthy and national sport. It was quite true the Bill was made double or treble its original size in Committee. The Committee found that there were a great many regulations for salmon, but that trout were only preserved in salmon rivers. As the Bill did not deal with trout, it was necessary to frame some regulations, the evidence showing that something should be done for trout and char in the English lakes, which were fast being destroyed. The House could form no idea of the waste of fish by taking them in tons during the close season; the rivers of the country would soon be denuded of fish if this wasteful process continued. The Bill had been re-drawn, so as to protect every kind of fish, by giving it a close season of three months. With respect to the hon. Member's objection to the incorporation of sections of the Salmon Acts into the Bill, he might say that they had simply availed themselves of clauses of those Acts as they required them. That might account for the difficulty experienced by the hon. Member; for, of course, it was no use setting out over and over again provisions of Acts of Parliament already passed. With respect to the 11th clause, it was said that if a person, while fishing for trout, caught a grayling, he would be liable to summary conviction under the Act. His answer to that was, that no justice would ever fine a man for taking a grayling under such circumstances, if he threw it back into the water. With regard to the power of search, it was directed against persons who caught from one to two tons of fish at night. It was necessary for the police to be able to prove that the fish was concealed in the houses of those persons, when they had reliable information that it was so secreted. He should be glad if the Home Secretary would give some explanation with respect to that matter, and he would also take that opportunity of thanking the right hon. Gentleman for his very excellent management with respect to the Bill. This was a matter in which all parties took great interest, and he hoped the hon. Member for Hackney would not stop the Bill at that stage. If he would point to any Amendment, or show anything omitted, when the Bill came up upon Report, he (Mr. Mundella) would be happy to consider it.

Question put, and *agreed to.*

Bill *considered* in Committee.

(In the Committee.)

Clauses 1 to 6, inclusive, *agreed to.*

Clause 7 (Provisions as to licences).

MR. FAWCETT said, that although he did not wish to propose any Amendment unnecessarily, he should like to have from his right hon. Friend the Secretary of State for the Home Department a precise explanation of this clause. Was he right in supposing that under this clause any body of Conservators would be able to compel persons to take out a licence for a single day's fishing, and that the Bill contained no limitation as to the amount of charge for the licence?

SIR MATTHEW WHITE RIDLEY said, that the hon. Member was perfectly right in thinking that this clause gave power to a body of Conservators to issue licences for rivers where there were trout and char; nor was there any limit in the Bill as to the amount of the licence. The matter was carefully considered by the Committee, and it did not seem to them desirable to put any limit on the charge for the licence; but it was clear that only a small sum would be charged. If the hon. Member made any suggestions of a practical nature, they should be considered.

MR. FAWCETT observed, that after the extremely fair statement that had been made, it would, perhaps, be better that he should not bring forward any Amendment without Notice. He thought, however, that a provision should be introduced, limiting the charge for these licences to one-third of the charge for salmon licences.

The CHAIRMAN inquired, whether the hon. Member intended to make any Motion? The Question had been put, that the Clause stand part of the Bill.

Mr. FAWCETT said, his difficulty arose from there not being time to put an Amendment on the Paper.

The CHAIRMAN said, the hon. Member would be quite in Order in moving a new clause, after the clauses of the Bill had been disposed of.

Mr. DODDS observed, that sufficient protection would be afforded to the public in the matter of the licences, from the Conservators being under the jurisdiction of the Secretary of State.

Mr. WHITWELL hoped opposition would not be pressed.

Clause *agreed to.*

Clauses 8 to 10, inclusive, *agreed to.*

Clause 11 (Close season for freshwater fish).

Mr. FAWCETT said, every angler knew that, when trout fishing, it was often impossible to avoid catching grayling. It was not always easy, at first sight, to say what was grayling and what was trout. It was necessary, in order that persons should not be regarded as offending, where they were simply doing that which could not be avoided, that they should have some very clear understanding upon the clause. He should move the omission of the word "catch" from the clause.

Mr. MUNDELLA remarked, that the same objection would apply to salmon; and in the hon. Gentleman's view of the clause, a man who, fishing for grayling, caught a young salmon, would be held to have committed an offence contrary to the measure. Such an interpretation might be put upon the clause; but the answer was simply this, that no magistrate would ever think of fining a man brought before him upon such a charge.

Mr. KING-HARMAN: Would the Bill prevent pike or jack being killed in fresh water in which they were obviously doing harm?

Mr. MUNDELLA: The Bill would not apply at all in such cases. In a stream where the owner found it necessary to protect the trout from the pike or any other predatory fish, he could take the necessary measures. He was quite entitled to destroy such destructive fish.

Mr. ASSHETON: The hon. Gentleman in charge of the Bill (Mr. Mundella) seems to deserve the credit of having invented a new kind of fish. I want to know what the "pollan" is?

Mr. MUNDELLA: There are many tons of pollan taken in Ireland every year.

Mr. FAWCETT wished to know how the Bill dealt with eels, which were said by naturalists to be migratory, and which were certainly found many hundreds of miles away from the sea in freshwater ponds and lakes? Was it simply a theory upon the part of naturalists that eels were migratory, and were they in all respects excluded from the operation of the Bill?

Mr. MUNDELLA said, he was not sufficient of a naturalist to give the hon. Member an assurance as to the migratory character of eels; but the evidence given before the Committee which considered the subject was in confirmation of the theory. Mr. Frank Buckland and Mr. Walpole said it was quite unnecessary to include eels in this Bill, inasmuch as they were migratory. The Bill did not apply to eels at all.

Mr. FAWCETT asked, if there were already in existence an Act which referred to eels in such a way as to bring them distinctly out of the operation of this Bill, because he understood it was never intended that they should be included. If there were no such Act, he should insert some definite words in the Bill excluding eels.

Sir MATTHEW WHITE RIDLEY was not aware that there was an Act in existence which defined eels as migratory; nor, indeed, did he think that such an Act would make them migratory if they were not so already. In the course of the inquiry of which the Bill was the outcome, a number of gentlemen who had made a special study of this department of natural history, gave evidence that eels were migratory, and would not come within the operation of the Bill, and therefore they were not brought within the Bill.

Mr. DILLWYN had seen eels migrate in great numbers, and believed that in this country, at all events, they were migratory.

Mr. MONK, in answer to the hon. Member for Hackney (Mr. Fawcett) said, that, in 1876, he had brought in a Bill, which passed into an Act, referring to eels as migratory. It was based on the fact that elvers, or the fry of eels, did migrate to and from the sea.

MAJOR O'GORMAN objected to this legislative interference with fish. They ought to give the fish two or three years to consider what they thought proper to do. As for the philosophical researches of Mr. Frank Buckland, he treated them with the utmost contempt; for fish would follow their own instincts, search and reason as they liked. Fish was a very expensive article of food in this country, and there was no reason why it should be so, if the fish were left to their own agencies. But Parliamentary agency was brought into the account, and it would be far better for the poor people if it were not so. If the fish were allowed to have their own way, he was certain that in this country they would soon have salmon for 2*d.* a-lb. As for this philosophical fishing, he treated it with contempt.

Amendment, by leave, *withdrawn.*

Clause *agreed to.*

MR. FAWCETT moved a new clause, to the effect that the licences issued in compliance with the measure should not exceed one-third of the charge for licence in the case of salmon fishing.

SIR MATTHEW WHITE RIDLEY said, the Bill fixed no limit; but the condition was the same as that laid down with regard to salmon—namely, that the scale of licences must be approved by the Secretary of State for the Home Department. The proposition of the hon. Member, he was bound to point out, was rather indefinite, as it did not say what salmon licences were, and, as a matter of fact, they varied in different parts of the country.

Clause, by leave, *withdrawn.*

House *resumed.*

Bill *reported,* without Amendment; to be read the third time *To-morrow,* at two of the clock.

POOR LAW AMENDMENT ACT (1876) AMENDMENT BILL—[BILLS 103, 134, 232.]

(*Mr. Mellor, Mr. Merewether, Sir Charles Forster, Mr. Phipps, Mr. Cowan, Mr. Hibbert.*)

CONSIDERATION OF LORDS' AMENDMENTS.

Order for Consideration of Lords' Amendments, read.

MR. PELL said, although the Bill was a short one, they could not at that hour—20 minutes past 1 o'clock—give to it the attention worthy of its importance; and, further, it would not be courteous to give the Lords' Amendments the scant consideration which was all that they could then receive. It was also important to remember that no report of what was said on this very important matter would reach the public. ["Go on!"] He hoped the hon. Member in charge of the Bill (Mr. Mellor) would not press it.

MR. GOSCHEN thought the hon. Gentleman who had just sat down (Mr. Pell) should have appealed to the House, rather than to the hon. Member in charge of the Bill, who, they should recollect, had few remaining opportunities for pressing on his Bill, and who could not be blamed if he desired to press it now, especially when they remembered how interested he was in the change which it was meant to effect. The hon. Member who had just sat down had done right, even if his appeal failed, in calling attention to the very important character of the Bill, and to the position in which they stood with regard to it. He did not wish to offer any obstruction to the Bill, neither did his hon. Friend who had made the appeal. He should wish to say to hon. Members that he was aware the view he took of the Bill differed from that of the great majority on both sides of the House. It was essential that a question of the kind, affecting large numbers of working people, should not be made a Party question. The Bill was one which they should be allowed to discuss, without its being thrown in their teeth—whatever side of the House they belonged to—that they were opposing a measure in which the working classes were interested. The hon. Member for Christchurch (Sir H. Drummond Wolff) had drawn attention to the fact that some Liberal Members had opposed the Bill. Well, so had some Conservatives. They should not in that House do anything to forbid or to stifle the opposition which it might excite in the minds of some hon. Members. In a question like that, in which the working classes took such an interest, they should encourage each other to speak out their opinions; and they should not allow themselves to be restrained by the idea that they might become unpopular with their Party, if they pressed their objections to the measure. He knew that remonstrances had been offered in consequence of the attitude taken by some of them with respect to the measure; and they all, he repeated, knew that the working classes took a very considerable interest in it. What, therefore, did he claim, and what did his hon. Friend opposite claim? Why, that they should be able to discuss it. They were told that 400,000 men took an intense interest in the question. But that was no reason why they should shirk, or even shorten, the discussion. On the contrary, it was a reason why they should discuss the Bill openly, publicly, and at a time when their opinions could be reported. With the greatest good-will upon the part of the Press, their opinions and arguments, if uttered at that hour of the morning, could not be placed before the working men. He saw many objections to proceeding with the discussion; but, no doubt, there were many hon. Members who wished to proceed, because they were anxious to see the Bill passed. However, he thought he was fairly entitled to put the case as he had done. It was not necessary to say whether he, and those who acted with him, opposed or not the particular Amendment introduced by the House of Lords; the question was, whether the Amendment should now be considered? How were they to consider it, and what was their position? His point was this—They had here a question in which the working classes took a deep interest; in fact, he had been told they took a greater interest in this than in the Eastern Question. On the other hand, they had the House of Lords proposing Amendments, in consequence of which the friendly societies took up this attitude—they preferred the Bill should not be passed, to its being passed with these Amendments; and he thought the hon. Member in charge of the Bill would bear him out in saying that. What ought the House of Commons to do now? The wish of the working classes was that that House should reverse the decision—and the by no means hasty decision—of the House of Lords. This matter was twice debated in the House of Lords, and it really had not been debated in the House of Commons. What, then, ought they to attempt to do? In his opinion, they ought, in the interest of the Bill itself, to effect such a compromise that there would be a chance of its passing the House of Lords in a shape satisfactory to the benefit societies of the Kingdom. He put it to the House—would the House of Lords be likely to reverse its decision, if the Amendments adopted by that Body were discussed in the House of Commons at a time when no publicity whatever could be given to the grounds upon which those Amendments were opposed? The matter should be discussed under circumstances which would allow public opinion to be brought to bear upon it. If not in the interest of the Bill itself, that it should be discussed at a proper time, was it not in the interest of the general proceedings of the House that, in a question where they might be supposed to be under the influence of pressure from without—and he knew a considerable pressure had been exerted by the friendly societies of the Kingdom upon hon. Members on both sides of the House—that those who had doubts with regard to the policy of the measure should be allowed to state them at a time when they should have some assurance that they would be reported, so that there might be an opportunity for the classes so interested in the question to appreciate the objections that might be urged against the measure? It was not that he and those who acted with him were opposed entirely to the Bill. A great mistake was made in 1876, when friendly societies were made collecting officers in certain senses for the Government. But this Bill did not simply repeal that clause; it went much farther. He should not recommend his hon. Friend (Mr. Pell) to divide the House upon his suggestion, if the House thought right to proceed with the Bill. He should not like to appear as offering any obstruction to the Bill; but it must be understood that if it were taken now, discussion would be impossible, and, for himself, he should not consider it and offer opinions upon it, as he should feel bound to do upon a more opportune occasion.

Mr. HIBBERT wished, as his name appeared on the back of the Bill, to make one or two observations in reference to what had fallen from his right hon. Friend (Mr. Goschen). The right hon. Gentleman had put the question before the House in a fair and equitable spirit; but he had proposed an impossibility. He had asked the hon. Member in charge of the Bill (Mr.

Mellor) to bring it forward at a time when it could be discussed. But it was impossible for a private Member to give such an undertaking, and the right hon. Gentleman proposed an impossibility. It would be desirable to have this question amply discussed; but the only way that it could be discussed now would be by the Government giving the hon. Gentleman an opportunity for bringing forward his Bill at another time. Unless the Government were prepared to do that, he did not know that they could do better than go on. He agreed with the right hon. Gentleman that this was in no sense a Party question; and that was shown by the manner in which it had been supported on both sides of the House. The Bill had passed through all its preceding stages in a manner in which few Bills had passed through that House. The right hon. Gentleman complained that no opportunity had been given for discussing the Bill; but Amendments had been placed on the Paper week after week, which had never reached fruition, and were not even discussed. It should be remembered that the Bill had also received the consideration of the Local Government Board, and the right hon. Gentleman the President of that Board had put down Amendments, which were accepted by the hon. Member in charge of the Bill. The Bill as it stood before going to the Lords was acceptable to the parties whom it would most directly affect, and he was justified in saying that they would prefer seeing it thrown out to passing in the altered form in which it had come down from the Lords.

MR. SCLATER-BOOTH was afraid that he could not afford his hon. Friend the Member for Ashton (Mr. Mellor) a better opportunity for bringing forward his Bill than the present, which he had got in the ordinary course of proceeding, and none could say that he was not justified in bringing it forward. He regretted that his right hon. Friend the Chancellor of the Exchequer was not in his place, as he had stated that he would support the measure. He thought the right hon. Gentleman the Member for the City of London (Mr. Goschen) scarcely justified in his complaints, as it was perfectly notorious that this Bill had been on the Order Book of the House of Commons during the whole of the Session. There was nothing to prevent the right hon. Gentleman putting Amendments upon the Paper; but he had not chosen to do so.

MR. GOSCHEN said, he had put his name down as opposing the Bill; but, on account of the great pressure put upon him by the friends of the Bill, he had abstained from going further.

MR. SCLATER-BOOTH did not see that the explanation altered matters. There might be objections to the Bill; but he believed that, on the whole, it was the best way out of a difficulty into which they had got; and a way, moreover, which was not open to the politico-economic objections which some hon. Members seemed to entertain to it. He could only say if his hon. Friend proceeded with the Bill, he was prepared to go on, and the House would hardly have a better opportunity.

SIR CHARLES FORSTER trusted the hon. Member in charge of the Bill (Mr. Mellor) would not consent to postpone it. It came on before on Friday, and was adjourned upon that occasion because the right hon. Gentleman the Member for the City of London (Mr. Goschen) had left the House under the impression that it was not coming on.

Lords' Amendments *considered.*

MR. MEREWETHER moved to disagree with the Lords' Amendment which omitted the words "paupers or" from the 1st clause. The clause set forth that it was

> "expedient to alter the law relating to the liability of friendly and benefit societies to contribute in certain cases towards the maintenance of paupers or pauper lunatics who may become chargeable to any Poor Law Union."

The effect of the Amendment was obvious. This question had been discussed on one occasion very fully by certain hon. Members, among whom was the hon. Member for Ashton-under-Lyne (Mr. Mellor), to whom friendly societies were indebted for the very manly course he took to redress the wrong done to them in 1876. The whole of the case was stated upon that occasion. The right hon. Gentleman the Member for the City of London (Mr. Goschen) had put down Amendments; but so far as he (Mr. Merewether) could make out, he afterwards withdrew them. The House appeared to be very unanimous in supporting the Bill, and an hon. Member who thought of opposing it, remarked that if he had gone to a division he would have had no one to tell for him. He saw no reason why the last chance of getting the Bill successfully through should be given up. The clause exempting friendly societies from contributing to the maintenance of pauper lunatics who might be entitled to a portion of their funds, and which had given rise to misconception, was meant to remove a doubt and prevent the guardians from summoning friendly societies, numbering in this country more than 4,000,000 of people, for sums towards the maintenance of pauper lunatics. It was felt that this friction should be got rid of—that the small gain to the ratepayers was not worth the trouble of recovering it. That being the case, he had taken the trouble to listen to everything said in the House and out of it against the present measure; and, as far as he could make out, the sole objection to it was, that it was contrary to the principle of the Poor Law. This idea arose from a mistaken analogy, as the measure had nothing to do with annuities or monies in the savings bank. A comparison had been made between the monies dealt with in the first part of the 23rd section of the Act of 1876 — monies in the savings bank or in annuities — and money, the property of the club. The money in the savings bank belonged to the man who was to receive it, and he could get it like the money in a long stocking, when he liked. Such funds should, of course, be sacrificed to the ratepayers when he sought to be maintained by the Union. But the money which he had put in the club was not his in any sense. He had parted with it to the funds of the club. He could not get it, but others could. He could not see how that could be compared to money in annuities or in the savings bank.

Sir HENRY JAMES said, that as a general rule, if a man had property in the funds, he clearly ought not to be supported by the ratepayers. But to maintain, as a hard-and-fast principle, that a man who had any property whatever should be obliged to pay for relief in any form he might receive it, would be to pursue a course injurious to the ratepayers; for, in the long run, they would be the sufferers. The ratepayers had no friends in the country so great as the men who subscribed to friendly societies, and if encouragement were not offered to the working classes to support friendly societies, they would increase their rates vastly more than they were at present. Men would not continue to be members of friendly societies, if they felt that the money they subscribed to them might go to the Guardians of the poor. The object which prompted people to subscribe to these societies was not a selfish one; it was the desire to make some provision for those dependent upon them. A man became a contributor to them in order to save his wife and family from the disgrace of having to go to the workhouse. If they took away their support from the family of a man who had become an invalid or a lunatic, they would simply break up a home which it might be difficult to re-establish, and run the chance of making the whole family permanent paupers. Suppose the man recovered, the Guardians, having taken the payments which the friendly society would otherwise have paid to the wife and family, and thus obliging them to enter the workhouse, who was to keep them while he was getting a new home? If they passed the Bill, they would be doing nothing for the democracy or for the working man which they had not already done for the aristocracy and wealthy traders. A man could make a settlement for his wife and family which no one but they could touch; and he could contract debts and laugh at his creditors, who had certainly as much claim upon him as the ratepayers upon a man who found it necessary to accept temporary aid. This Bill was no innovation; it was simply an act of justice and expediency. The question they were discussing was a large one in one aspect; but, in another, it was a very narrow one. The Bill, as amended by the Lords, allowed the wife and family of a pauper lunatic to have the advantage of the funds of a society to which he had subscribed, and there was no reason why a similar advantage should not be extended to a man who broke his leg. The principle of the Bill, as approved by that House, would be destroyed if they accepted the Amendments of the Lords.

Mr. GOSCHEN would not conduct a hopeless struggle in arguing against the

Bill, on the merits, tempting as it would be to reply to the speech of his hon. and learned Friend the Member for Taunton (Sir Henry James), and to show that a portion of his argument struck at in-door relief, and was in favour of out-door relief. He contented himself with entering his protest, and added that he had never put any Amendments upon the Paper, though he had given Notice of opposition.

MR. SCLATER-BOOTH said, a good deal of jealousy had arisen between friendly societies and Guardians owing to the operation of the clause in the Act of 1876 which it was desirable to get rid of; and he thought a portion of the Bill would have that effect. Assuming that the Bill would pass into law, it would deprive Poor Law Guardians of the power to attach money from friendly societies, where the inmate had a wife and family who were receiving it; but it would still be competent to the Guardians, as before, to refuse to give relief to any person who was in receipt of sufficient from the friendly societies for his maintenance.

MR. YEAMAN remarked, that the question was one of great importance to friendly societies, and he hoped some compromise would be arrived at.

SIR WALTER B. BARTTELOT thought that any Bill, the object of which was to make an alteration in the Poor Law, ought only to be introduced upon the responsibility of the Government. In that case, they would have an opportunity of discussing the matter in a way and at a time they could not hope for in the present instance. He did not blame his hon. Friend (Mr. Mellor) for bringing on the matter now, though it would have been more satisfactory if there had been a proper opportunity for discussing it.

MR. PELL said, his object in offering any opposition to the Bill was not to secure a small saving to the rates; it was from a higher point of view he regarded the matter. It was because the best interests of the working classes were, in his belief, in jeopardy that he had ventured to interpose in the progress of this measure. He was bound to say that he was perfectly satisfied with the manner in which the Bill had been handled. What they would do by this Bill would be to give a preference to money saved in one form. If a man put money in the funds or the savings bank to meet sickness, it could be attached; but if he put it into the funds of a friendly society, whether registered or not, it could not be touched or applied in satisfaction of the just claims of Guardians.

MR. BUTT reminded the hon. Gentleman who had just sat down (Mr. Pell) that it was no new principle that the law should protect money put aside by a man for his wife and family, as it protected no other monies. They had established the very salutary principle of allowing any man to effect an insurance on his life for the benefit of his family which no creditor could touch. If he put money in the bank it could be reached by his creditors, and if he made an insurance to remain under his own control it would equally be liable for his debts. It was no new principle they were now asked to extend to poor men; it was a principle well known to the law, the only difference being that the poor man provided against sickness, while the rich man provided against death.

Motion *agreed to.*

First of the Lords Amendments *disagreed to.*

MR. MEREWETHER moved to agree to the second of the Lords Amendments. The Bill as it stood when it left the Commons protected

> "moneys which a pauper or pauper lunatic having a wife or other relative dependent upon him"

might be entitled to receive as a member of one of these societies. The Lords proposed to leave out "other relative" and insert "child or children or father or mother."

Motion *agreed to.*

MR. MELLOR moved to disagree to the next Amendment, which omitted "pauper or" further on in the clause, and which was consequent upon the first Amendment of their Lordships.

Motion *agreed to.*

MR. MELLOR moved to disagree to the next Amendment of the Lords, which struck out of the Bill a provision to the effect that where a pauper or pauper lunatic, having no one dependent upon him, was entitled to money from a benefit society, no claim should be made by the Guardians upon such society for the expenses incurred in his relief, unless the relief were declared to be by way of loan, and the fact of such declaration had been duly communicated to the society.

MR. COURTNEY, in the questions hitherto debated, had gone along with the majority, though with some doubt. He had recognized the principle for which the hon. and learned Member for Limerick (Mr. Butt) had contended, and which was embodied in their legislation, that a man might make a settlement by way of insurance for the benefit of his wife and children which would hold good against his creditors. But, in the question now before them, he thought they were bound to support the Lords. They were not now considering the question as between the wife or other relative of a pauper and the Boards of Guardians; but the question was one between the friendly societies and the Guardians, because they were considering the case where the pauper or pauper lunatic had no friends. Why, in such a case, there being no friends to benefit by funds which existed for the man's own benefit, should the Guardians not recoup themselves out of such funds?

MR. MELLOR said, the object of the clause was to give the Guardians power to claim upon their complying with certain conditions. If the clause were not retained, the Guardians would have no such power; and, therefore, he thought that from an economic point of view, they were bound to adhere to the portion of the clause which had been struck out.

MR. MEREWETHER explained, that the words in question simply required the Guardians to give notice to the society concerned, so that they might know and acknowledge the demand. At present they were summoned, which was rather a hostile mode of proceeding.

Motion *agreed to.*

Committee *appointed,* "to draw up Reasons to be assigned to The Lords for disagreeing to certain of their Amendments to the Bill:"—Mr. MELLOR, Mr. SCLATER-BOOTH, Sir HENRY SELWIN-IBBETSON, Sir HENRY JAMES, Mr. MEREWETHER, Mr. M'CULLAGH TORRENS, Mr. HIBBERT, Sir CHARLES FORSTER, Mr. PHIPPS, and Mr. COWAN:—To withdraw immediately; Three to be the quorum.

TENANT RIGHT (IRELAND) BILL.

[BILL 31.]

(*Lord Hill-Trevor, the Marquess of Hamilton, Mr. Mulholland, Captain Corry, Mr. Chaine.*)

FURTHER PROCEEDING ON CONSIDERATION.

Further Proceeding on Consideration, as amended [5th July], *resumed.*

Amendment again proposed to the Bill, in the words inserted in the Committee, at the end of Clause 2—namely,

"The Court, in determining the amount of compensation to be paid to any person making any such claim, shall take into consideration the terms of the case, the rent at which the premises were held, and any stipulation, proviso, covenant, or agreement therein contained or referred to for the erection of buildings, or the making of any improvements by the lessee,"

by leaving out the word "into," in line 2, to the end of the said words, in order to insert the words—

"Account in reduction of the claim any express stipulation, proviso, covenant, or agreement for the erection of buildings, or making any other improvements by the lessee, contained or referred to in the lease, or subject to which the holding shall have been demised,"—(*Mr. Isaac,*)

—instead thereof.

Question again proposed, "That the words proposed to be left out stand part of the Question."

MR. ISAAC said, he thought it only right and due to the House that he should make a short statement in regard to his position.

MR. SPEAKER: An Amendment proposed by the hon. Member is now before the House. If the hon. Member desires to withdraw it, he can do so by leave of the House.

MR. ISAAC asked leave to withdraw his Amendment.

MR. BUTT objected to the withdrawal in that summary manner.

MR. DILLWYN thought the hour too late to consider the Bill, and moved the adjournment of the debate.

Motion made, and Question proposed, "That the Debate be now adjourned."—(*Mr. Dillwyn.*)

THE ATTORNEY GENERAL FOR IRELAND (MR. GIBSON) said, the withdrawal appeared to be a formal matter.

MR. BUTT said, hon. Gentlemen representing the tenant-farmers of Ulster and the promoters of the Bill had a conference, at which he had been asked to give his assistance in framing the Bill, and he did so. As a consequence of the conference, an Amendment was agreed to, which was to be inserted in the Bill.

MR. D. TAYLOR hoped the Motion for adjournment would not be pressed.

Motion, by leave, *withdrawn.*

Original Question again proposed.

MR. BUTT said, he had no objection to the withdrawal of the Amendment if certain words were left out of the clause.

Amendment, by leave, *withdrawn.*

MR. ALDERMAN COTTON (for Mr. ISAAC) moved an Amendment to the 2nd clause, which provided that—

"In the case of any claim under the first section of the principal Act in respect of a holding in the province of Ulster, which, if it had been held from year to year, would have been subject to any of the usages known as the Ulster Tenant Right Custom," &c.

The words of the Amendment would follow the word "custom," in substitution of those now standing in the Bill, and were as follows:—

"The Court, before determining the amount of compensation to be paid to any person making any such claim, must take into account any reduction of the claim so far as under the circumstances may appear just in respect of any express stipulation, covenant, or agreement for the erection of buildings, or making other improvements by the lessee, or in any arrangement in writing made at the granting of the lease."

Amendment *agreed to.*

Bill to be read the third time *To-morrow,* at Two of the clock.

IRISH CHURCH ACT (1869) AMENDMENT (NO. 2) BILL.

On Motion of Mr. SHAW LEFEVRE, Bill to amend "The Irish Church Act, 1869," *ordered* to be brought in by Mr. SHAW LEFEVRE, The O'CONOR DON, and Mr. ERRINGTON.

Bill *presented,* and read the first time. [Bill 244.]

WORMWOOD SCRUBS REGULATION BILL.

On Motion of Sir HENRY SELWIN-IBBETSON, Bill to provide for the User and Regulation of certain Lands at Wormwood Scrubs, *ordered* to be brought in by Sir HENRY SELWIN-IBBETSON and Colonel LOYD LINDSAY.

Bill *presented,* and read the first time. [Bill 243.]

TURNPIKE ACTS CONTINUANCE, &C. BILL.

On Motion of Mr. SALT, Bill to continue certain Turnpike Acts and to repeal certain other Turnpike Acts; and for other purposes connected therewith, *ordered* to be brought in by Mr. SALT and Mr. SCLATER-BOOTH.

Bill *presented,* and read the first time. [Bill 245.]

House adjourned at half after
Two o'clock.

* * *

HOUSE OF LORDS,

Tuesday, 9th July, 1878.

MINUTES.]—PUBLIC BILLS—*First Reading*—Charitable Trusts * (150); Commutation of Tithes * (151).

Second Reading—Innkeepers (136).

Committee—Public Health (Ireland) (133).

Committee — Report — Statute Law Revision * (114); Supreme Court of Judicature Act (Ireland), 1877, Amendment * (139).

Third Reading—Parliamentary and Municipal Registration (Consolidated) * (125); Telegraphs * (141); Metropolis Management and Building Acts Amendment * (145); Local Government Provisional Orders (Abergavenny Union, &c.) * (116); General Police and Improvement (Scotland) Act, 1862, Amendment * (124), and *passed.*

* * *

THE EASTERN QUESTION—THE CONVENTION WITH TURKEY—QUESTIONS.

EARL GRANVILLE said, he would like to ask the noble Duke the Lord President of the Council, Whether the Convention executed between this country and Turkey had been communicated to the other Powers, either collectively or separately?

THE DUKE OF RICHMOND AND GORDON replied, that the Government had not yet received any official report of the Convention having been formally communicated to the other Powers at Berlin.

EARL GRANVILLE asked, if the noble Duke could state whether it had been unofficially communicated?

THE DUKE OF RICHMOND AND GORDON said, that at that moment he could not charge his memory upon the point. He was not prepared to answer the Question.

PUBLIC HEALTH (IRELAND) BILL.

(*The Lord President.*)

(NO. 133.) COMMITTEE.

House in Committee (according to Order).

Clauses 1 to 37 *agreed to.*

Clause 38.

VISCOUNT POWERSCOURT, in moving the addition to the clause of words providing better ventilation and supply of pure air to hospitals, and for providing recreation grounds for convalescent patients, explained, that in Dublin some of the hospitals—especially the group known as the House of Industry Hospitals—were surrounded by houses which were a great nuisance, and very detrimental to the health of the inmates of those hospitals; but it was impossible for the sanitary authorities to deal with the nuisance without some statutory power, and it was to that end that he moved this Amendment.

Amendment moved, to add, at end of clause, these words—

"or for the purposes of enlarging or re-building, or more effectually isolating and ensuring the free circulation of pure air in and around any public hospital or hospitals for the reception of cases of disease or injury, and especially of disease among the poor, and for the providing of adequate recreation grounds for the sick and injured poor while under treatment in such hospital or hospitals during the period of their convalescence from such disease or injury."

THE DUKE OF RICHMOND AND GORDON regretted that he could not agree to the Amendment proposed by the noble Viscount, who, he thought, would see upon consideration that it would not be right to insert such a provision in this Bill. The noble Viscount proposed to give to the sanitary authorities power to take by compulsion land surrounding hospitals, over which those authorities had no control. The hospitals were supported by voluntary contributions. They were not, therefore, the property of the sanitary authorities, who, indeed, had nothing whatever to do with them. If the Amendment were agreed to, it might happen that a sanitary authority would acquire land round a hospital, that the hospital, becoming no longer available for the purpose for which it was originally intended, might be taken away, and that then the sanitary authority would hold land acquired by compulsion for no purpose whatever. It was quite obvious, unless the sanitary authority was also to have power over the hospitals, they must not have the power which the noble Viscount proposed to give them. They were not entitled or permitted to contribute towards the support of the hospitals, and, therefore, still less ought they to be allowed to acquire land outside them. Hence, he was compelled to oppose the Amendment.

VISCOUNT POWERSCOURT said, he would withdraw the Amendment.

Amendment (by leave of the Committee) *withdrawn.*

Amendments made: The Report thereof to be received on *Thursday* next.

INNKEEPERS BILL—(No. 136.)

(*The Lord Henniker.*)

SECOND READING.

Order of the Day for the Second Reading, read.

LORD HENNIKER, in moving that the Bill be now read the second time, said, he did not bring it forward in his official capacity, and it was not a Government measure; but it had passed through the other House of Parliament without opposition. The Attorney General had given some consideration to the matter, and allowed him to say that he did not consider the Bill, or anything in it, objectionable. The facts of the case were these—that under the existing law, as declared in a decision of the High Court of Justice in January last in the case of Mullilan *v.* Florence, an innkeeper or hotel-keeper might retain property which had been left by a defaulting customer, but could not sell it. For instance, if a horse were left with an innkeeper, it might cost him a great deal for its keep, and he could not recoup himself by selling it. Railway Companies were empowered by their bye-laws to act in a very different manner with property left in their charge, and even with articles found in their carriages. The object of the present Bill was simply to do an act of bare justice, and to place the law on a more satisfactory footing. The provisions of the Bill were contained in one clause, which set forth that an hotel or innkeeper should have the right to sell goods or animals left in his house or on his premises, where the owner was indebted to him; but no sale could take place until six weeks after the property had been so left—the surplus, after the debt and expenses had been met, to be paid on demand to the owner. It was also provided that no sale should take place until a description of the property, with a notice of the intended sale, had been advertised in one London and one country newspaper at least one month before the time of sale. He believed the safeguards in the Bill were ample, and he asked their Lordships to give it a second reading.

Motion *agreed to;* Bill read 2ª. accordingly, and *committed* to a Committee of the Whole House on *Friday* next.

CHARITABLE TRUSTS BILL [H.L.]

A Bill to amend the Charitable Trusts Act, 1853, and the Acts amending the same—Was *presented* by The LORD CHANCELLOR; read 1ª. (No. 150.)

House adjourned at half past Five o'clock, to Thursday next, half past Ten o'clock.

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HOUSE OF COMMONS,

Tuesday, 9*th July*, 1878.

MINUTES.] — PRIVATE BILL (*by Order*) — *Lords Amendments considered* — Belfast Improvement.

PUBLIC BILLS — *Ordered* — *First Reading* — Sale of Food and Drugs Act (1875) Amendment * [252]; Metropolitan Board of Works (Money) * [251].

First Reading — Intermediate Education (Ireland) * [249].

Second Reading—British Museum (Transfer of Collection) * [236].

Select Committee—Corrib (Galway) River * [225], *nominated.*

Committee—Highways (*re-comm.*) * [214]—R.P.

Committee — *Report* — Truro Chapter * [234]; Habitual Drunkards * [27-250].

Considered as amended—Weights and Measures * [229].

Third Reading—Roads and Bridges (Scotland) * [224]; County of Hertford * [240]; Freshwater Fish Protection * [235]; Tenant Right (Ireland) * [31], and *passed,*

PRIVATE BUSINESS.

BELFAST IMPROVEMENT BILL.

(*By Order.*)

CONSIDERATION OF LORDS AMENDMENTS.

Order for Consideration of Lords' Amendments read.

Motion made, and Question proposed, "That the said Amendments be now taken into Consideration."—(*Mr. J. P. Corry.*)

MR. BIGGAR said, he had given Notice of his intention to move that the Lords' Amendments be considered this day three months. His object was to secure that the Bill should be thrown out; and he would at once proceed, as shortly as he could, to point out his reasons for taking this course, and the grounds upon which he based his opposition to the Bill. He ought, in the first instance, to explain, that in common with other Members of that House, he had received a paper called a "Statement," which had been issued on behalf of the promoters of the Bill. He did not propose to refer specially to this document, except in regard to one point—namely, that which related to the improvement of the Blackstaff River—and it was upon this point that he intended, in a great measure, to base his arguments in opposition to the further progress of the Bill. It set forth that he (Mr. Biggar) had already opposed the Bill in several ways, and it went on to specify the occasions—

> "It appears that—1st, before the Commission on Local Government and Taxation of Towns (Ireland) which sat in Belfast in December, 1861; 2ndly, in a Petition against the Bill, deposited by him in the Private Bill Office on the 30th day of January last; 3rdly, before the Select Committee of the House of Lords to whom this Bill was referred, Mr. Biggar has made certain charges against the Corporation."

With regard to the Commission of Inquiry, which sat in Belfast, he had certainly been examined as a witness there by those who represented the Town Council. Of course, his evidence was on record, and he was prepared to defend the whole, or any part of it. He might say that he had not intended to make any reference on this occasion to that evidence, for this reason—that there was no power in that House to cross-examine him, and he did not like to bring general or specific charges against any persons, unless they had the right by cross-examining him of testing the value of his statements. In the Petition lodged against this Bill, in the Private Bill Office, the House of Lords decided that the parties had no *locus standi;* so that, as far as that document was concerned, it had no value in regard to the conduct of the Bill, either in the House or before the Select Committee. He was, however, examined before the Select Committee of the House of Lords; but he was placed in this difficulty—that on that occasion he was only examined upon a very narrow part of the Bill—namely, as to whether or not the decision of the Town Council or of Committees of the Town Council of the borough of Belfast should be subject to an appeal to some independent tribunal outside, and the decision of the Lords Committee against that contention was not given on the merits, but simply on the fact that there was no precedent for such a provision as an appeal against the steps taken by the Town Council. The Lords Committee, therefore, refused to insert a clause giving the appeal for which he asked. He had not read the Petition against the Bill, and he really did not know what the allegations in the Petition were, and to what extent the prayer of the Petitioners was entertained by the Committee of the House of Lords. The paper he had just referred to went on to say—

> "Mr. Biggar has made certain charges against the Corporation which may be summarized as follows:—1. That the members of the Council are almost exclusively Conservatives and Protestants, and are, therefore, unfit to be trusted with the powers usually conferred upon Town Councils."

Now, this statement very materially and seriously exaggerated what he had intended to say; but, at the same time, it was not very far from the fact, because in point of fact, two-thirds of the people of Belfast, in round numbers, were non-Catholic, and the remaining one-third Catholic. In almost every municipal election that took place in Belfast the question of politics was generally the sole question raised before the ratepayers in regard to the eligibility or otherwise of the different persons who offered themselves as candidates. The result of course was that the Conservative Party, which was paramount in the borough, had got all the representation into its own hands. Only Protestant candidates were returned, and the Roman Catholics, as far as the representation was concerned, were unrepresented, except in the person of one gentleman. The result of this state of things was, that although the Town Council could come to a decision upon a question of town improvement or in favour of promoting this Bill, yet, as a matter of fact, one-third of the population—namely, all the Catholic inhabitants, were, practically, unrepresented; their opinions were not asked or considered; they would not be listened to, if they were given; and they had no special *locus standi* before a Committee of the Lords or Commons. The consequence was, that they had no means whatever of making their views known, except in opposing the Bill in the way in which they had offered opposition to the present measure. He had acted on their behalf. They sent a Petition to him which he presented to the House, and it was referred to the Private Bill Office; where, he presumed, it remained without being examined by the Committee who inquired into the merits of the Bill or being allowed to influence their decision. The statement went on to say that among the charges made by him (Mr. Biggar) against the Corporation was one

> "that the Improvement Committee of the Council are guilty of improper conduct in furthering their private interests at the expense of the public."

Now on this point he had given evidence before the Commission, and it was upon the same point that he gave evidence before the Committee upstairs; and he believed that the charges he had made were, to a very great extent, based on facts. There was one particular case within his own knowledge that he might mention, where a member of the Town Council, a timber merchant and a large speculator, had built upon a plot of land in front of a row of houses. The buildings he had erected were within 20 feet of the front of the existing houses, notwithstanding that it was part of the law of the borough of Belfast that there should be no street less than 30 feet wide. The only answer made to this accusation was, that the member of the Council who was said to have done this was merely a partner in the ownership of the property in question. He could, if necessary, give a number of other cases to show that building speculators and men who supplied building materials for builders, had facilities constantly given to them through this sort of influence. It was alleged that the members of the Council always favoured their own friends, and it was this feeling which led to the opposition in the House of Lords, the Petitioner being a large manufacturer and a large speculator on his own account, who justly complained that greater facilities were given to persons who were connected with the promoters of the Bill than to himself. That was not, however, the reason why he (Mr. Biggar) proposed that the Lords' Amendment to the Bill should be considered on that day three months. The next allegation in the "Statement" was as follows:—

> "In the House of Lords he was allowed to appear in the character of a witness before the Select Committee upon the Bill, and gave full expression to his opinions; after which, the Committee called upon the Corporation neither for any rebutting evidence, nor for any reply."

Now, he had simply given expression to his opinions on one point—namely, whether or not there should be an appeal from the decision of the Improvement Committee and the decision of the Select Committee was based not on the merits of the case, but simply upon the ground that there was no precedent for such an appeal. He did not, on this occasion, propose to insert any clause to carry out his views. It would not be practically an Amendment to the Amendments introduced by the House of Lords, and, therefore, according to the Rules of the House, it could not be put from the Chair. Otherwise he should have raised the question, and have given his reasons why the Bill should go before the Local Government Board in Dublin. He might say, in passing, that his views were not in favour of centralization in a general way; but he did think that such a body as the Local Government Board would only be doing its duty if it would see that the Corporation of Belfast really carried out its engagements and obeyed the provisions of the law. The next allegation contained in the "Statement" was this—

> "As Mr. Biggar's objections have thus had full consideration before proper tribunals, it is submitted that, even if they were relevant to the question before the House, they should not be entertained at the present stage. They are objections which might possibly have been urged, and, in fact, although not pressed, were taken as objections to the Bill in its passage through the House of Commons; but are in no way relevant to the Amendments made in the House of Lords which the House of Commons is now asked to consider."

In reference to the House of Commons, he might remark that the promoters of the Bill had made great objections to the *locus standi* of certain Petitioners against the Bill. They succeeded in some cases, but not in others. Without going into details upon the question, he might say that it seemed to him the Petitioners against the Bill had not acted in a very business-like or judicious manner; for they entered into negotiations with the promoters of the Bill for what they considered to be "concessions." The result was, that as these negotiations lasted until the Bill was ready to go into Committee, the Petitioners were not prepared to give evidence in support of their case. Practically, although a Petition had been lodged, there was no opposition, and the Committee of the House of Commons were not called upon to inquire into the merits of the case at all. The "statement" went on to say—

> "The number of persons who signed the Petition against the Bill in the form in which it went to the House of Lords was 21; of these only one or two appeared before the Committee, and the Council agreed to insert a clause which met the only substantial criticism made on their behalf upon the Bill."

In point of fact, two specific objections against the Bill were made by Mr. Ross, the Petitioner, whose case was considered, and one of these was allowed by the Committee of the House of Lords—namely, that the promoters of the Bill should be bound to carry out their improvement works within one year after the period at which they might take possession of the land for that purpose. In that point Mr. Ross succeeded; but, in his other objections against the Bill, he did not succeed. The document to which he had been referring pointed out that there were only 21 Petitioners against the Bill; but he had already explained that the promoters were most determined in their opposition to the *locus standi* of the Petitioners, unless the person claiming a right to be heard could show a clear case that his property was affected by the proposed improvements. That condition, of course, operated entirely as a bar to the great bulk of the inhabitants of the town. The effect was this—The members of the Town Council might be elected in November, and they might determine immediately after their election to issue the notices for the promotion of a Bill entirely opposed to the views of the majority of the inhabitants of the borough, and yet the inhabitants would have no *locus standi* to come before a Committee of either House of Parliament. In point of fact, the inhabitants would be altogether powerless, so far as such a scheme, however objectionable, was concerned. The Catholics, who spoke their views in the Petition lodged against the Bill in the Private Bill Office, gave the only expression of opinion of a public nature which was given either for or against the Bill. There was, he believed, a deputation against the Bill; but he did not know who it represented. There was also a deputation in favour of the Bill; but, so far as public meetings were concerned, or any of the usual means of obtaining a public expression of opinion, or Petitions signed by large numbers of the inhabitants, there was nothing of the sort. The Bill stood before the House simply on its merits, and on its merits he hoped the House would decide against it. The "Statement" said—

> "The Bill has practically the unanimous consent of the Town Council, and for a Bill of this kind an exceptionally unanimous approval from the general body of the inhabitants."

He would now give the reasons which he wished to adduce against the passing of the Bill; and in doing so he wished, in the first place, to refer to a Report which was only delivered to him yesterday, and which he presumed would be delivered to other hon. Members at the same time.

Mr. SPEAKER: I must remind the hon. Member that he is not entitled to discuss the whole Bill. He is only entitled to discuss such Amendments as the House of Lords have made in it.

Mr. BIGGAR said, that all the arguments he intended to advance were contained in the Report of the Select Committee on Local Government and Taxation of Towns in Ireland. He did not intend to read one word of the Bill itself, nor had he any desire to discuss the general merits of the measure; but he intended and he thought he should succeed in basing his arguments in opposition to the Bill upon the particular Amendment which had been inserted by the House of Lords. His contention went entirely in favour of the idea expressed by the Select Committee in their Report, and he proposed to read only 12 lines of that Report, in the belief that the passage, together with his own arguments, would fairly come within the scope of the Amendment. He held in his hand the Report of the Committee on Local Government and Taxation of Towns in Ireland, of which Committee he believed the right hon. Gentleman the Colonial Secretary (Sir Michael Hicks-Beach) was Chairman. In that Report, as it was finally agreed to by the Committee, they said—

> "With regard to Belfast, complaints were made to the Commissioners of a want of attention on the part of the Corporation to the interests of the Roman Catholic portion of the inhabitants, and of their partiality in administering the law compelling the formation of roadways and footpaths in newly-built streets. On the latter point, the Commissioners express an opinion that 'the Corporation should seek to get rid of these clauses altogether, if they find they cannot carry them out fairly; but while they are part of the law of the land, they certainly ought to be so carried out as to leave no colour for the suspicions which are undoubtedly entertained that strict impartiality is not invariably observed.'"

That was a specific part of the Report which he hoped the right hon. Gentleman the Colonial Secretary would duly consider.

Sir MICHAEL HICKS-BEACH: Will the hon. Gentleman read that part of the Report which follows—I mean the part which comes at the end of their observations in regard to Belfast?

Mr. BIGGAR said, he would read it in due course. The Committee also said—

> "The Commissioners also report a prevailing opinion among a large portion of the ratepayers that the Corporation are responsible for the continuance of the monster nuisance, caused by the polluted condition of the Blackstaff stream."

The Committee said further—

> "Your Committee, while calling attention to these subjects, on which the evidence taken before them appears to bear out the views of the Commissioners, have pleasure in expressing their opinion of the generally satisfactory manner in which the municipal affairs of Belfast are managed by the Corporation of that town."

He would confine his argument entirely to three lines of the Commissioners' Report—

> "The Commissioners also report a prevailing opinion among a large portion of the ratepayers that the Corporation are responsible for the continuance of the monster nuisance caused by the polluted condition of the Blackstaff stream."

All he proposed was that the powers of the Town Council to carry out further improvements should not come into operation until they had carried out their scheme for improving the condition of the Blackstaff stream to the satisfaction of the Local Government Board. The facts of the case were brief. The Blackstaff stream was an open sewer, receiving the sewage of the whole of the district—a very extensive one—through which it passed for something like a mile. It emptied itself into the River Laggan, on the south-west side of the borough of Belfast, and carried the whole of the sewage of the district along the western part of the borough. In this way two sides of Belfast were enveloped by an open sewer, and in addition to being an open sewer, the stream was used by the millowners on the banks of the stream as a receptacle for the hot water and refuse that came from their steam engines. A very large amount of steam and refuse water was let off, and the Blackstaff stream became polluted by most offensive matter, which was in the highest degree injurious to the health of the inhabitants of the town of Belfast. The Local Government Board had from time to time complained to the borough of Belfast of the Blackstaff nuisance, and the Corporation undertook to remedy it in what they believed would be an effectual manner. They proposed to take the sewage which now fell into this open stream, and to make another sewer as part of a general sewage scheme, which would empty the sewage into the sea below the borough of Belfast. The effect of this would be to do away with the present nuisance, by which two sides of Belfast were enveloped in a filthy stream, and to give to the town two comparatively pure streams. Mr. Bazalgette went over from London and prepared a sewage scheme, which was submitted to the Local Government Board, who agreed in the propriety of it, the Corporation undertaking to carry out the scheme within a reasonable and moderate time. He was not sure that this was so; but he supposed that the Corporation could have borrowed part of the money for carrying out the scheme from the Board of Works. At any rate, they undertook to carry it out. But what had they done? They had carried out some small parts of the scheme, but only some very small parts. No doubt, the completion of the entire scheme would have been of enormous advantage to the borough of Belfast, and would have materially improved the sanitary condition of the town. But instead of having carried out the work which they had bound themselves to the Local Government Board to do, they had this year promoted a Bill in Parliament, by which they took borrowing powers to the extent of £350,000, to enable them to effect certain improvements, and in the meantime the scheme for the general sewerage of the town was postponed *sine die*. It only proposed to deal with the Blackstaff stream in a very small way, and in a way which, instead of improving matters, would make them worse. The Bill merely proposed to cover in some hundred yards or so of this dirty stream, about two-thirds of the way down, and the result would be that the steam and gas which found its way into this filthy stream would come out at both ends, and be even still more offensive and injurious to the inhabitants. What he contended was, that it was the duty of the Government to see that in common fairness and honesty the Corporation fulfilled its engagements. He held that they were bound to fulfil these engagements before they were allowed to borrow money for other purposes. If they borrowed money for other improvements, they must more or less injure the security they gave to the Local Government Board for carrying out their present liabilities. They proposed under the Bill to carry out fresh improvements at an expense of £350,000, and the inevitable result would be that the taxation which would be necessary under the provisions of the Bill would jeopardize the sewage scheme. He thought the Government, as guardians of the public purse, were bound to see that the Corporation of Belfast fulfilled its original engagements on this point, before undertaking other works. He had only one other word to say, and that was that the plan of the new improvements had been submitted by Mr. Black, the town solicitor, to the Local Government Board, who refused their sanction to it. In conclusion, he begged to move that the Lords' Amendments be taken into consideration on that day three months.

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day three months."—(*Mr. Biggar.*)

Question proposed, "That the word 'now' stand part of the Question."

Mr. J. P. CORRY said, he did not propose to follow the hon. Member for Cavan into all the details which he had referred to. He thought the hon. Member had taken a very unusual course in moving such an Amendment at this stage of the measure. The effect of postponing the consideration of the Lords' Amendments would be, of course, that the Bill itself would be lost so far as the present Session was concerned; and there could be no doubt whatever that by this Bill the Corporation of Belfast would be able to effect very extensive and much needed improvements in the town. The necessity for these improvements was generally admitted, and fully justified the Corporation in asking for further powers. The Bill had received the careful consideration of Select Committees of both Houses of Parliament, and the House of Lords had already agreed to it substantially in the form in which it was originally presented to them. No doubt, the hon. Member for Cavan and his Friends did oppose the Bill in the House of Lords; but the noble Lords who composed the Committee of the other House declined to sanction their objections, and the consequence was that the Bill now came down to the House of Commons for its approval in the final stages. The hon. Member for Cavan had favoured the House with a long dissertation upon the state of the Blackstaff stream. There could be no doubt that the question of sewage in Belfast was an old matter of controversy, and it was the desire of the Corporation that the present state of things should be remedied. Indeed, the promoters of the Bill were taking every pains to mitigate as far as possible the nuisance complained of, and already the hon. Member for Cavan and his Friends had had every opportunity afforded them of representing their views before the local authorities. First of all, the hon. Member was examined by a Select Committee upstairs appointed to consider the question of the Local Government and Taxation of Towns in Ireland. He was next called before the Commissioners in Belfast, and gave evidence there; and, very recently, he gave evidence before the Select Committee of the House of Lords upon the present Bill. The complaints of the hon. Member were confined to one particular subject, and they had received very full consideration. That they had not been acceded to was not the fault of the Corporation of Belfast, who were the promoters of the Bill. If anyone was to blame in that respect, it certainly was not the promoters of the measure. It was unnecessary that he (Mr. Corry) should enter into details as to the objects of this Bill for the improvement of the town of Belfast, because those details had already been fully considered by Committees of both Houses of Parliament; and he felt quite certain that the House would not consent to reject a Bill which, after much careful investigation, had been sanctioned by a Select Committee, and was now sent down for the final approval of the House, having almost reached its last stage.

Mr. PORTMAN, as Chairman of the Committee which considered the Bill upstairs, hoped the House would allow him to say a few words before they came to a division. The hon. Member for Cavan (Mr. Biggar) was quite right in what he said as to his objections not having been pressed before the Committee. He (Mr. Portman) was aware that those objections were embodied in a Petition against the Bill; but the Petition itself was not pressed. The objections had, however, according to the statement of the hon. Member for Cavan, been brought before the House of Lords and duly considered; and, under those circumstances, he hoped the hon. Member would not press his Motion to a division. From all that the Committee of the House of Commons were able to see of the Belfast Improvement Bill, they came to the conclusion that it would carry into effect some very desirable improvements of the town; and he should be very sorry to see it rejected upon the present occasion. He hoped the hon. Member for Cavan would not persist with his Amendment, as if he did so, he was afraid that he could not give him his vote.

SIR JOSEPH M'KENNA could not take objection to the course taken by his hon. Friend the Member for Cavan. He apprehended that his hon. Friend was perfectly within his right when he took upon himself to oppose the further progress of the Bill at this stage. He (Sir Joseph M'Kenna) thought that probably the object of the Bill was a very good one; but the grounds of objection taken by the hon. Member for Cavan were two-fold. The chief one, which his hon. Friend had placed upon the Paper, referred to the fact that the Corporation of Belfast had already been charged with an important public work, and had failed to carry it out. He thought that was a very fair topic to bring under the notice of the House, although it was by no means conclusive in the matter, and would probably not justify the House in going the extreme length of rejecting the present Bill. There was one matter, however, to which he thought the attention of the House ought to be specially directed. He held in his hand a document which had been circulated among hon. Members, which purported to be

> "A statement on behalf of the Corporation of Belfast in support of the Bill, and against the Motion of Mr. Biggar,"

and which bore the name of Dyson and Co., Parliamentary Agents. In that document, the entire merits of the proposition of the hon. Member for Cavan were discussed and prejudged, and the writer endeavoured to furnish hon. Members of that House with the conclusions which they ought to arrive at, after deliberating upon the measure. The persons who circulated this document undertook to state what object the hon. Member for Cavan had in view. He apprehended that this was a most inconvenient course for any hon. Member in charge of a Bill like this to sanction. His hon. Friend the Member for Cavan had referred to this document; but it seemed to him (Sir Joseph M'Kenna) that the document itself was highly disrespectful to the House and most irregular. Although there was a good deal of force in the objections which had been raised by his hon. Friend the Member for Cavan, he hoped his hon. Friend would not persist in dividing the House upon the question; because, under the peculiar circumstances of the case, notwithstanding the merits of the objections, his hon. Friend was scarcely likely to induce a majority of the House to agree with him in his Amendment. He hoped, therefore, that it would not be pressed to a division. The grounds of the Amendment, however, were well worthy of the attention and consideration of the promoters of the Bill. Feeling that the document to which he had referred was not consistent with the proper respect due to the House, he proposed to place it in proper hands as soon as the present discussion should have closed.

MR. RAIKES: I think, Sir, it is hardly possible to imagine a more inconvenient course than that which has been taken by the hon. Member for Cavan (Mr. Biggar) in making this Motion. The Bill, which the hon. Member referred to at some length in his opening remarks, has now passed through almost every stage in both Houses. It has been fully considered by a Select Committee upstairs, the Chairman of which has stated that it met the entire approval of that Committee. It has been to the other House of Parliament, and there carefully considered. The hon. Member for Cavan was himself called as a witness before the Committee of the other House, and, in deference to the opposition offered to the Bill in that House, the House of Lords introduced certain Amendments into it in the shape of a new clause, which is to follow Clause 22 of the original Bill. That new clause requires the Corporation of Belfast, within 12 months after the purchase of the necessary property for any new street or improvement authorized by the Bill, to proceed with the execution thereof in accordance with the Bill, and to complete the same with reasonable despatch. That is the only Amendment in the Bill upon which any general objection can be raised. Well, Sir, I think it would hardly be possible for the Forms by which Parliament has endeavoured to protect the promoters of a Private Bill to be more strained than by a Motion such as that which is now submitted to the House; or for the interests of suitors to be more sacrificed, than in the event of such a Motion being adopted—the result of which would be to reject a Bill which has already passed nearly all its stages in both Houses of Parliament on a simple Motion for rejecting the Lords Amendments. It is not necessary that I should go into the questions of detail which have been raised by the hon. Member for Cavan. He may object to the Bill because he thinks that the interest of certain Roman Catholic citizens of Belfast are not generally considered. That is a large and important question, and I wish to express no opinion upon it. He may object further to the Bill on the ground that the Corporation of Belfast have omitted to fulfil certain engagements which they had previously contracted. But these are neither of them questions for the House to consider now. The House has only to consider whether the Amendments which have been inserted in the Bill by the House of Lords, and which are of the simplest character, are objectionable, or whether they afford sufficient reason for setting aside a Bill which has already received the approval of Committees of both Houses of Parliament, and which I hope on the present occasion this House will sanction. I trust that the Amendment will be met by a decided negative.

Main Question put, and *agreed to.*

Lords Amendments *considered.*

"After Clause 22, insert Clause 22A," the first Amendment, read a second time.

MR. SPEAKER: Does the hon. Member in charge of the Bill propose to agree to the Lords Amendments?

MR. J. P. CORRY: Yes.

MR. BIGGAR asked leave to disagree with the Lords Amendment. The clause provided that the Corporation should, within 12 months after the purchase of property for a new street or improvement, proceed to complete and execute such new street or improvement with reasonable despatch. That clause was inserted in the Bill in the House of Lords in consequence of the opposition of his friend Mr. Ross. He proposed to make a small addition to the clause by adding the following Proviso:—

"Provided also, That the said powers of purchase shall not come into operation till the main drainage scheme, which has been approved of by the Local Government Board, has been completed."

He had no wish to detain the House at any further length; but he thought he could make out a strong case in favour of the Amendment. He had already pointed out that the Corporation of Belfast were under an engagement to the Local Government Board, in reference to the main drainage scheme. They had carried out part of the work already, and had spent part of the money; but the scheme was incomplete, and the Corporation might just as well have refrained from spending the money which they had already spent. What he urged was simply this—that the Corporation of Belfast should endeavour to carry out the work they had undertaken, and should then bring into operation the improvement parts of their present Bill. In the Bill the Corporation took 10 years for their compulsory powers of purchase. That was really a very long time, and he hoped the House would accept his Amendment, as it certainly could not have the effect of rendering the Bill inoperative. It was not intended as a means of throwing the Bill on one side; but it would have the effect of requiring the Town Council of Belfast, like sensible men, to complete one scheme of improvement before they commenced another. Under these circumstances, he begged to move that the words he had proposed be added to the clause.

Amendment proposed,

At the end thereof, to add the words "Provided also, That the said powers of purchase shall not come into operation till the main drainage scheme, which has been approved of by the Local Government Board, has been completed."

Question proposed, "That those words be there added."

MR. J. P. CORRY said, he was compelled to take the same course in regard to the present Amendment as that which he had already taken in regard to the previous one, which involved the rejection of the Bill altogether. In fact, so far as his own knowledge went, he was not aware that any main drainage scheme had been approved of by the Local Government Board at all, or that the Corporation of Belfast were under any pledge to the Local Government Board to carry out any scheme. There were, however, certain works going on, and those works would be completely stopped if this Bill were not passed. The adoption of the Proviso moved by the hon. Member for Cavan would effectually stop all the improvements now going on in Belfast. He therefore hoped the House would not assent to it.

Question put.

The House *divided:*—Ayes 12; Noes 167: Majority 155.—(Div. List, No. 200.)

Amendment *agreed to.*

MR. SPEAKER: Does the hon. Member for Belfast propose to agree with the rest of the Lords' Amendments?

MR. J. P. CORRY: Yes.

Subsequent Amendments *agreed to.*

QUESTIONS.

THE EASTERN QUESTION—THE CONVENTION BETWEEN ENGLAND AND TURKEY.—QUESTION.

MR. W. E. FORSTER: In the absence of my noble Friend the Member for the Radnor Boroughs (the Marquess of Hartington) I beg to ask the Under Secretary of State for Foreign Affairs, Whether the Convention of the 4th June between the Governments of Great Britain and Turkey has yet been ratified; and, whether the said Convention has been communicated to the Congress at Berlin, or to the European Powers separately?

MR. BOURKE: Sir, the English ratification of the Convention was sent to Constantinople by special messenger some time ago, and Sir Austen Layard reported on the 8th that everything was settled, and Mr. Baring, who was to take the firman to Cyprus, had left Constantinople. We have not yet received any official Report of the Convention having been formally communicated to the other Powers at Berlin.

MR. W. E. FORSTER: The hon. Gentleman will observe that the Question I asked him was, whether the Convention has been communicated to the Congress at Berlin, or to the European Powers separately.

MR. BOURKE: The answer is that which I have given, and which I believe to be a complete answer to the Question—namely, that we have not yet received any official Report of the Convention having been formally communicated to the other Powers, either at Berlin or elsewhere.

TURNPIKE ROADS RETURNS.
QUESTION.

MR. RYLANDS asked the President of the Local Government Board, If he can state to the House the total cost of Turnpike Roads which have been disturnpiked since December 31st, 1870, and, which under the provisions of the Highways Bill, would become chargeable to the county rate; also the total cost of existing Turnpike Roads which, on ceasing to be such, might hereafter become chargeable under the provisions of the same Bill to the county rate?

MR. SCLATER-BOOTH, in reply, said, that the Returns of the annual cost of turnpike roads were given in the Appendices to the Local Government Reports. The cost in 1870 was £509,546; and, according to the latest Returns, the cost was £282,273, and half of the difference would *primâ facie* be the amount that would fall upon the county rate. The latest Returns were, however, 18 months in arrear, and it was estimated that the probable charge would now amount to about £150,000 a-year.

CONTAGIOUS DISEASES (ANIMALS) BILL.—QUESTION.

MR. W. E. FORSTER asked the Secretary to the Treasury, When he will be able to put the Amendments to be introduced into the Contagious Diseases (Animals) Bill on the Table; and, whether he hopes to be able to circulate amongst hon. Members the Orders in Council before the Bill goes into Committee?

SIR HENRY SELWIN-IBBETSON, in reply, said, he hoped to be able to place the Amendments on the Table that evening, and they would be printed and circulated immediately. With regard to the other part of the Question, he had communicated with the Privy Council on the subject, and the Orders would be laid on the Table as soon as possible; but he was unable to say if it would be before the Bill went again into Committee.

PARLIAMENT — BUSINESS OF THE HOUSE.—QUESTIONS.

Mr. DILLWYN asked, what would be the order of Business on Friday next?

Sir HENRY SELWIN-IBBETSON said, it was not easy to say what would be the particular Business on Friday. It would depend very much on what progress they made that day (Tuesday). He thought the Army and War Office Regulation Bill would be on the Paper for that day.

Mr. FAWCETT said, the Inclosure Bill was down first for Friday. He wished to know if it would keep its place?

Sir HENRY SELWIN-IBBETSON said, that the Inclosure Bill would in all probability be taken first on Friday. It would keep its place on the Paper that day; but should any change take place, he would communicate it to the House before Friday.

ORDERS OF THE DAY.

ROADS AND BRIDGES (SCOTLAND) BILL—[Bill 224.]

(*The Lord Advocate, Mr. Secretary Cross, Sir Henry Selwin-Ibbetson.*)

THIRD READING.

Order for Third Reading read.

Motion made, and Question proposed, "That the Bill be now read the third time."—(*The Lord Advocate.*)

Mr. ANDERSON said, it was a matter of great regret to him that Glasgow had been obliged to be so prominent in the discussion of the Roads and Bridges Bill; for he was sure that the House would be quite sick of the name of Glasgow and its grievances by this time. But Glasgow was peculiarly situated, and he was speaking under a stinging sense of the flagrant injustice imposed upon her—injustice of an almost unparalleled character. By an hard-and-fast clause in the Bill, it was proposed to inflict upon her an annual burden of £10,000 a-year for the maintenance of the county roads, and also to make her pay, on an equal rate with the counties, the whole of the county road debts. The injustice of the Government in this matter was not only that the clause was inconsistent with every other clause in the Bill, but that it was utterly inconsistent with the conduct of the Government in other matters; for on Friday they had the President of the Local Government Board proposing an Amendment on the English Highways Bill by which the Metropolis was specially exempted from paying any part of the county road debt.

Mr. SCLATER-BOOTH said, his proposal had nothing to do with the debts of the turnpike roads.

Mr. ANDERSON said, he had made a mistake, having meant to say county road maintenance. The right hon. Gentleman had entirely excluded the Metropolis from payments to the county road maintenance, and had also excluded all quarter sessions boroughs from the same burdens; and yet, a few days before that, they had the Home Secretary proposing, under the Scotch Roads and Bridges Bill, that Glasgow should make large payments, both towards the debts and maintenance of the county roads. He maintained that these were inconsistencies which would not win the confidence of the country to the Government. When it saw the Government blowing hot and cold, doing one thing for the boroughs of England and an entirely different thing for a burgh in Scotland, the fact was not likely to create much confidence in such a Government. They had the Local Government Board and the Home Office distinctly at variance with each other in this matter. A very small concession at the eleventh hour was made; but he wished to make a distinct protest against the expression of the Home Secretary, that the concession was of the nature of a compromise. It was not a compromise at all, because Glasgow repudiated it. A compromise was an agreement between two parties; but in this case one of the parties had nothing to do with it. All that it enabled Glasgow to do was to come back in five years and renew the battle, sickening the House of Commons of that day as they were doing now; and in the meantime they would have paid the great bulk of the county road debt, and £50,000 for the maintenance of the county roads, no part of which was it ever proposed they should get back, even if the revision at the end of the five years was entirely in Glasgow's favour. This injustice of making Glasgow pay the county road debts was immensely aggravated by the nature of the valuations. In Glasgow every working man's house and every other residence and every shop was valued at the full amount, and must, therefore, pay towards the county road debt on the utmost valuation. But in the counties there was a totally different state of matters existing. They had there all the county magnates living in palatial residences, and they had these rated at the lowest possible figure—at mere nominal rents—and not at all in proportion to the magnitude of the property. Thus, while the county magnate paid the lowest possible amount, the Glasgow workman would pay to the utmost farthing. He maintained that before this flagrant injustice was done, Glasgow had a right to be heard by counsel. This right had been denied by a British House of Commons, led on by a despotic Government, with a large majority at its back. He protested against this. He believed the injustice to be utterly unprecedented, and that the case he had made out the other day for being heard by counsel was entirely uncontroverted. It had hardly been denied—indeed, it appeared to have been admitted—that if the Home Secretary had been spoken to sooner he would have allowed it to be so heard. The right hon. Gentleman had not denied the hardship. He (Mr. Anderson) was bound to say that the learned gentleman who acted as the Speaker's counsel, and advised him in this matter, must have been very hard up for precedents when, after several days' search, the only one he was able to give dated some 34 years back—namely, the South Wales Highways Act. He (Mr. Anderson) had since examined it, and found it was not a precedent in any sense of the word. What Glasgow complained of, he repeated, was that by a hard-and-fast clause in the Bill this extraordinary liability for the county roads was placed upon it. In the South Wales Highway Act there was nothing whatever of the kind. All that it did was to appoint Commissioners for the adjustment of the county road debts, and to arrange a system of arbitration under which those who made objections could be heard. There was no such thing as a hard-and-fast line deciding that Brecknock, say, was to pay the debt of Radnor, or that Pembroke was to pay £10,000 a-year to support the roads of Cardigan. Therefore, he maintained that there was nothing in that Act which served as a precedent to justify the House in having refused that Glasgow should be heard by counsel before this injustice was inflicted upon it. The only excuse for this act of the Government was that Glasgow came too late with its objections. The Home Secretary had said the City of Glasgow had been guilty of certain *laches* in not having come at an earlier date and let him know the circumstances. His constituents entirely and distinctly denied these *laches.* On the 15th of February they saw the Home Secretary and the Lord Advocate together, and at that interview the proposals of Mr. Smith were laid before them and strongly protested against. That was not all. On the 1st of March they had another interview with the Lord Advocate, on the 20th of March a second, on the 27th of May a third, and on the 3rd of June a fourth interview with the Lord Advocate, besides sending, both to him and the Home Secretary, printed papers and written remonstrances. There were no fewer than four distinct interviews with the Lord Advocate, at every one of which the strongest remonstrances were made against these proposals; and yet they had the Home Secretary coming and telling the House that he never heard from the Glasgow magistrates since the 15th of February. How was Glasgow to know that the Lord Advocate was never communicating these remonstrances to the Home Secretary, or that the Home Secretary entirely forgot or ignored them? The magistrates of Glasgow had always understood, as had other Scotch corporations, that the Lord Advocate was the proper means of communicating between them and the Government. They knew no other. They had been accustomed to go to the Lord Advocate with other grievances. They went four times to the Lord Advocate, remonstrating with him upon this injustice, and yet they were told by the Home Secretary that he never heard a word about it. The fault lay either with the Lord Advocate or with the Home Secretary—in any case, with the Government, certainly not with the magistrates of Glasgow. The Home Secretary also complained that the actual Motion to be heard by counsel came very late—only after the clause was in the Bill. If the magistrates of Glasgow had believed it possible that the House of Commons would pass that unjust clause, and incorporate it with the Bill, the Amendment demanding to be heard by counsel would have been made even sooner; but it was made as soon as the clause was fairly in the Bill. He did not believe it would be any use at this late period to divide the House upon this matter. The Representatives of Glasgow had made the best fight they could; but with the large majority the Government had at its back, the fight was a vain one. The question would, however, be fought "elsewhere," and by much abler men. He trusted that in the "other place" the fight would have a more satisfactory issue. If that happened, it would not be the first time that an injustice inadvertently inflicted upon Glasgow by this House was redressed by the other. He said inadvertently, because he was quite sure the House of Commons would not willingly inflict injustice on anyone. If it came to be fought in the other House, he would have the Government consider whether it would not be better to allow the clause to be thrown out, with the result of leaving the Bill a perfectly good Road Act for Scotland, consistent with itself in all its parts. No one would be really aggrieved if this were done. The only effect would be that the counties in question would have to ask for a Provisional Order in regard to anything they did not like. There was abundant time between this and the Act coming into operation to have the different claims of the counties and of the City of Glasgow adjusted, after proper evidence, where the parties could be heard by counsel in the presence of each other. He urged the Government to remove this grievous blot upon the Bill. He was sure it would not be satisfactory to the Government to feel that this clause, introduced at the last hour, was to produce such an amount of hostility as it would create in Glasgow. It would only produce contempt for the law and resistance to the law; for the feeling in Glasgow was so bitter against the counties and the rate proposed, that he looked forward to an amount of bad feeling being created, to an extent which the Government might find it a very inconvenient thing to deal with. He asked them, therefore, at the last moment to allow this clause to be thrown out, and to leave parties to adjust their differences in future by a Provisional Order or Private Bill. He begged to move that the Bill be read a third time that day three months.

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day three months."—(*Mr. Anderson.*)

Question proposed, "That the word 'now' stand part of the Question."

Dr. CAMERON said, he thought the Lord Advocate ought to take some notice of what had been stated. The fact was that the Home Secretary was anxious to be here, but was unavoidably called away. He was certain if the right hon. Gentleman had been there, he would not allow the injustice his hon. Colleague (Mr. Anderson) protested against to pass without a word of explanation; and he really thought, in his absence, the Lord Advocate was bound to make some explanation, not in reference to the entire question, but in reference to a matter which had been for the first time brought before the House—the accusation of *laches* brought against Glasgow in this matter.

The LORD ADVOCATE said, he thought a great deal of meaning had been attached to the word *laches* which was not intended to be conveyed by it. He took it that all the Home Secretary intended was that the suggestion of Glasgow came too late. He did not think the right hon. Gentleman intended to say that he was not aware of the position taken up by the City. In fact, the right hon. Gentleman had been made aware of it by the hon. Members for Glasgow whilst the Bill was in progress and in Committee. What he meant was that the Motion to send the Bill to a Select Committee could not be fairly considered at a period of the Session when the proposal would have the effect of shelving the Bill, and that the suggestion should have been made at an earlier period than when the Bill was passing through the Committee of the House.

SIR EDWARD COLEBROOKE also thought the term *laches* entirely had reference to the proposal to send a Bill to a Select Committee, which was an unprecedented proposition on the last stage of the Bill. It ought, if made at all, to have been earlier. There was a strong feeling that if the Government had taken a course of that kind it would have had the effect of throwing out the Bill. He did not propose to follow the hon. Member for Glasgow (Mr. Anderson) in his remarks. Had the whole burden fallen on them, the counties would have have had to be taxed at 1*s.* and 1*s.* 6*d.* in the pound for roads most extensively used by Glasgow. It was only just that Glasgow and the suburban burghs should afford the counties some assistance in this matter, as without seeking to eclipse the hon. Member for Glasgow in the use of strong language, he must say that, had the Bill passed without some provision of the kind which had been introduced by the Lord Advocate, it would have been one of the most iniquitous Bills that ever was carried.

MR. E. JENKINS said, the Lord Advocate had ignored the statement with reference to the four separate interviews between the magistrates of Glasgow and his Lordship. It was perhaps as well that the people of Glasgow should take note of the fact that though they might hold interviews with the Lord Advocate, it was possible that information of them might never reach the Home Secretary, and that while they were accustomed to look to the Lord Advocate, it was useless to send deputations to him; because it might turn out after all that the Home Secretary would get up in this House and say that the representations had never reached him. He thought this was a matter which the Lord Advocate should explain more clearly than he had done in the very perfunctory statement he had made to the House. As the clause was introduced in Committee, it was impossible that its opponents could have proposed a Select Committee earlier than they did.

Question put, and *agreed to.*

Main Question put, and *agreed to.*

Bill read the third time, and *passed.*

HIGHWAYS (*re-committed*) BILL.

(*Mr. Sclater - Booth, Mr. Salt.*)

[BILL 214.] COMMITTEE.

Bill *considered* in Committee.

(In the Committee.)

Bye-laws by County Authority.

Clause 20 (Power of county authority to make bye-laws).

SIR GEORGE JENKINSON moved, in page 9, line 9, after "highways" to add the words—

> "(5.) For regulating the felling of any hedgerow, timber, or trees upon or across any highway to the danger of the public using such highway."

He said that cases had come under his own knowledge of accidents being caused by trees laying across the highways.

SIR JULIAN GOLDSMID said, that the other day it had been shown that it was perfectly unnecessary to lay down any of those regulations. For his own part, he was not aware of any case of the kind in which danger to the public had arisen, and he thought that if they had to provide by bye-laws against every possible accident that might occur, they would have enough to do. He thought that the right hon. Gentleman in charge of the Bill was better advised when he did not press any such regulations as these. The matter might safely be left to the Common Law, and he hoped that hon. Gentlemen would join with him in opposing the Amendment.

SIR GEORGE JENKINSON said, he knew of a case in which a tree had been lying immediately in front of an approaching vehicle, which had run into it before the driver had time to stop. In some cases, the occupants of a vehicle had the option of being despatched by a tree or drowned in a pond. Such a case had occurred within a few yards from his own house.

MR. RYLANDS said, he rose to oppose the whole of the propositions of the hon. Baronet. It might happen that the bye-laws might be passed in one county and not in another, so that a man going from one county to another would not know under what bye-laws he existed. He was under the impression that the system of making different bye-laws for different localities had been carried to an extreme, and that they really must allow some matters to be determined by the common sense and judgment of people who were engaged in the management of districts. With regard to the evil of trees, he could not say that he had passed over as many country roads as the hon. Baronet; but, in his whole experience, he had never met with the slightest inconvenience in the way indicated.

Sir ANDREW LUSK thought the hon. Baronet ought to get some credit for his attempt to make things a little better than they were. He could speak from experience in the matter, seeing as he did from time to time similar cases occurring down in Hertfordshire. He did not know whether the Common Law would prevent it or not, but they did want some better regulations than they already had in reference to their roads. They also wanted some authority to clean out ditches by the side of roads.

The CHAIRMAN said that a discussion on this point was beyond the limit afforded by the Amendment.

Sir ANDREW LUSK said, that he wanted to support the hon. Baronet, because he had seen frequent cases of accident occurring from people not noticing trees that were lying across roads.

Mr. SCLATER-BOOTH hoped the hon. Baronet would not press the words he had proposed, or any of the Amendments he had to follow them. He should be very willing to establish a general power of making bye-laws similar to that which existed under the General Turnpike Act. The trustees under those Acts had the power of preventing certain nuisances upon roads, such as the opening of gates outwards into roads; and he thought that under some general words they might give such powers as would make it certain that all that was reasonable would be provided for. If the hon. Member would favour him by withdrawing his Amendment, and the other Gentlemen who had similar Amendments would do the same, he would substitute such an Amendment as the following:—

"For prohibiting or regulating all or any of such matters or things as may be prohibited or regulated under the General Turnpike Act."

Mr. CLARE READ said, he hoped the power included the lopping and trimming of timber which overhung roads which in some districts rendered them almost impassable for loads of hay and straw. But with regard to bicycles, they were almost a new machine, and if the hon. Baronet moved his Amendment affecting them he should be ready to support him, because he thought that without some regulation they were really a danger and a nuisance.

Mr. GOLDNEY asked, whether power would be included to control the dragging of threshing machines along the roads?

Mr. WILBRAHAM EGERTON said, the object of his Amendment was to give powers to the highway authorities which the turnpike trustees did not possess at the present time.

Sir GEORGE JENKINSON said, he should be very glad to leave the whole subject in the hands of the right hon. Gentleman in charge of the Bill, and if he would deal with all the matters contained in the following Amendments he would withdraw those also.

Mr. SCLATER-BOOTH said, he could not conscientiously say that his Amendment would include the management of bicycles; but if the hon. Baronet desired to deal with them now was the time to do so.

Amendment, by leave, *withdrawn.*

Sir GEORGE JENKINSON then moved the insertion of the following words:—

"(6.) For prohibiting the use of any bicycle on any highway, unless the rider of such bicycle shall be provided with, and shall use, a loud bell and whistle, as well as a clear light after dark, or other effectual means of giving at all times audible notice of his approach on meeting or passing any vehicle or any person on horseback."

Mr. SCLATER-BOOTH agreed to accept the first part of the Amendment in the following form:—"For regulating the use of any bicycle on any road."

Sir CHARLES W. DILKE said, he had received a communication from the bicyclists of London, which led him to think that they would be perfectly content with the Amendment as altered. They had no objection to the prohibition of bicycling on footpaths, but they certainly objected very strongly to being compelled to use whistles.

Amendment, as amended, *agreed to.*

MR. SCLATER-BOOTH moved, in the same clause, page 9, line 9, to insert, after the words already inserted, the words—

"And for prohibiting or regulating all, or any, of such things as may be prohibited or regulated, respectively, under the provisions of the General Turnpike Act."

Amendment *agreed to.*

MR. WILBRAHAM EGERTON moved, in the same clause, to insert the words, after those inserted already—

"(9.) For prohibiting the driving or riding furiously, or racing, against time or otherwise, in or upon any vehicle, including bicycles, so as to endanger the lives and limbs of passengers riding on the highway."

MR. SCLATER-BOOTH said, he thought the present Highways Acts would meet the case suggested by the Amendment of his hon. Friend; and if they did not, he would undertake, if possible, to amend them.

MR. PEASE suggested that the Amendment should end with the word "otherwise," leaving out the words "in or upon any vehicle," as those words narrowed the operation of the clause to those in or upon a carriage, and prevented horsemen being dealt with.

MR. SCLATER-BOOTH said, that any provision in the general Highways Acts would be applicable to roads which had been disturnpiked.

Amendment, by leave, *withdrawn.*

MR. GREGORY proposed, in page 9, line 9, to insert the words—

"(5.) For prohibiting or regulating the use of locomotives upon any highway, or across any bridge, where such authority is satisfied that such use would be attended with danger to the public from the narrowness, inclination, or imperfect construction of such highway or bridge respectively."

The Amendment, he thought, spoke for itself. It must be in the knowledge of many hon. Members that there were in country districts many roads along which locomotives ought only to be allowed to pass on stringent conditions, and many bridges over which they ought not to be allowed to pass at all. He saw no reason why the local authorities might not be fairly intrusted with a power of this kind.

MR. KNIGHT objected to the proposal, on the ground that it would enable local authorities to prevent the use of steam ploughs all over England, because they would not have permission to travel over the roads. He had known cases in which, under the existing law, farmers who wished to use steam power in the cultivation of their land had been unable to do so. It was, in his opinion, unjust to regard as being engaged in "regular traffic," a steam engine which was simply used for the purpose of working a steam plough or a threshing-machine, and had only to be moved from farm to farm as its services were required. It would be easy to put in the Bill provisions which would insure payment, by the persons causing it, for damage done to roads or culverts by the passing of locomotive engines over public roads; but he thought it would be a monstrous abuse of the powers of Parliament, to make a law which could possibly have the effect of preventing the use of steam power in agriculture.

SIR JULIAN GOLDSMID said, it seemed to him absurd to give to any local authority power to stop the passage over roads, and so to prohibit the use, of any machines which were of great practical use in the conduct of farming operations. As far as he understood the proposals of the Government, they would, in a later clause, include such Amendments as would meet any reasonable demand on the part of those who objected to the use of steam engines on public roads.

MR. CLARE READ said, he thought it would be wise to make a distinction between locomotives which were proposed to be run frequently and regularly along public roads, and those which were only to be employed on the roads occasionally, in going from farm to farm, in connection with the operations of ploughing or threshing. The objection to locomotives, on the score that it would not be easy to pass them in certain circumstances, would apply with equal weight to a brewer's dray or a furniture van. If two of these vehicles met in a road too narrow for them to pass, one would have to back, and the same observation applied to locomotives. He perfectly agreed that there should be applied to bridges a special protective provision; because, at present, there was no law to prevent engines of any kind passing over bridges, and there was no law to compel persons damaging bridges to pay for such damage, unless they actually broke down the bridge.

Mr. W. S. STANHOPE thought some distinction should be made between locomotives which were intended to be constantly employed on public roads, and those which it was proposed to move about from farm to farm for agricultural purposes. He knew some roads off which the public were practically driven, by the fact that they were regularly traversed by locomotives. Although a road might be sufficiently wide for a vehicle to pass a locomotive, it could not be done; because the locomotive, owing to its weight, could only travel in the centre of a roadway.

Mr. PEASE said, he thought no one would object to the use of locomotives on turnpike roads in connection with the operations of agriculture; but he thought there could be some difference of opinion on the subject of allowing their use for ordinary roads, involving, as it would, the possible destruction of many bridges and the certain injury of a large number of roads and the culverts which ran beneath them, unless the roads had been previously made ready for such extra weight, a thing that ought to be attended to.

Sir JULIAN GOLDSMID thought it would be better to deal with this question on Clause 24, than to attempt to deal with it here.

Mr. GREGORY said, the clause now proposed referred to the bye-laws to be made by county authorities; and when they were regulating bye-laws, it seemed to him that this Amendment should be inserted. As, however, his right hon. Friend wished to have the alteration made somewhere else, he had no objection. With respect to bridges, the proprietors of locomotives were already liable by the Locomotive Acts, for the repair of any bridges they broke down; but the Acts at present did not stop them from going over weak bridges. As a result, if a bridge was too weak it broke, and parties using the road were for months unable to go that way because the bridge was under repair. The proprietors of the locomotives might be finally liable; but he wanted to prevent them from straining the bridge in the first instance.

Amendment, by leave, *withdrawn.*

Clause, as amended, *agreed to.*

Mr. Clare Read

PART II.

Amendment of Locomotives Acts, 1861 and 1865.

Clause 21 (Weight of locomotives and contruction of wheels).

Sir BALDWYN LEIGHTON said, he wished to move an Amendment, not on the Paper, of which he had given his right hon. Friend private Notice. He proposed, in page 9, line 19, to leave out the words "shall not be lawful to," and insert the words "be lawful for any highway authority to." His object was to give power to the local authorities to make these regulations optional if they chose—that was to say, to adopt them or not. Subject to the damage for excessive weight, he believed the right policy was to remove all these restrictions, and he wished to empower any and every county to be able to do so. Hon. Members generally had, he believed, no desire to prohibit or to unduly restrict the use of locomotives, but rather to encourage it, subject to public damage and public danger, and nuisance. It seemed to him that if they limited the width of wheel and the weight of the locomotive, they put a bar in the way of improvements, which might do far more harm than would now be done by leaving the use of locomotives free from any of these restrictions, except damage and danger. The principle laid down by Sir George Grey, in the first of these Locomotive Acts, was that the use of these engines should not be encumbered by too many restrictions. That principle had always been adhered to by the House in subsequent legislation; and he thought they might safely give power to the local authorities to dispense with these restrictions in the district under their jurisdiction, if they chose.

Mr. SCLATER-BOOTH said, this part of the Bill was intended as an Amendment of the general law with respect to locomotives. It was not intended that the different county authorities should have power to make different regulations, for it would be intolerable that a locomotive could not pass from one county, or, perhaps, even from one parish to another, without being subject to different and varying rules and penalties. In his opinion, this was not a fit subject for regulation by the local authorities. The general Locomotive

Acts of 1861 and 1865 regulated the use of these engines, and it was now proposed to improve those Acts in certain respects which experience had shown to be necessary. For the last two years he had been in communication, off and on, with gentlemen who were interested in the manufacture and use of locomotives, and the provisions and alterations now made had been carefully settled, with the view of making such reasonable amendment of the law as was thought necessary. On the other hand, these gentlemen had cheerfully submitted to certain restrictions to which by law they were not now subject. He thought these proposals were now very just and fair, and if they were to attempt to vary them they might do more harm than they were aware of.

COLONEL BEAUMONT said, this Amendment would introduce optional legislation, and its inconvenience would be apparent to the hon. Baronet if he would remember the number of different bodies these locomotive people would have to deal with. They could not have legislation that was at once optional and final; while if these regulations were left to the local authorities to settle, there would be an interminable number of difficulties introduced. The final appeal ought, in his opinion, to rest with the Board of Trade; and besides, they should have certain broad rules laid down and insisted upon, as was done in this clause. In proportion, also, as they enforced stringent legislation, they took the responsibility from the shoulders of the owners of the engines, and, in his opinion, that was undesirable.

Amendment *negatived.*

SIR BALDWYN LEIGHTON moved, in page 9, line 25, to leave out "three," and insert the word "six." He did not understand how three inches could be sufficient width of tire in every case.

MR. SCLATER-BOOTH said, the first of these sections applied to locomotives not drawing carriages, and he thought three inches was enough in that case.

Amendment, by leave, *withdrawn.*

COLONEL CHAPLIN moved, in page 9, lines 29 and 30, to leave out "two inches," and insert "one-and-a-half inch." He quite agreed with the principle of having the width of the wheel regulated by the weight of the locomotive; but he thought the experience of the last 10 or 15 years had shown that 2 inches was too much, and that 1½ inch would be enough. There were numbers of engines in use in this country with wheels of that width, and it had been found quite sufficient.

MR. SCLATER-BOOTH said, he was not aware that there was any complaint as to the limit of 2 inches; but if his hon. and gallant Friend would withdraw the Amendment, he would inquire into the matter, and make a change in the clause on the Report, if he were satisfied it was necessary.

COLONEL BEAUMONT said, the width of the wheel was really a very important matter; for a very narrow wheel cut up the road a great deal, while a wide one became a road roller, and if they only chose to widen it sufficiently, the passage of the locomotive really became a benefit. He had considered the matter a good deal, and had made some inquiries. As a result, he was bound to say that he thought 1½ inch narrower than was necessary, while 2 inches was too wide. He should think 1¾ inch would be best.

Amendment, by leave, *withdrawn.*

MR. SCLATER-BOOTH moved, in line 30, after the words "not less than two inches in depth," to add "and sixty inches in diameter." At the end of the sub-section he should propose, subsequently, to add some words, enacting that if the diameter of the wheel was increased a corresponding decrease in the width of the tire should be allowed. He believed this Amendment would be satisfactory to locomotive manufacturers, and he had no reason to doubt that it was a reasonable one.

MR. STANSFELD said, if the weight of the locomotive was three tons, was the diameter of the wheel to be three times 60 inches?

MR. BRISTOWE said, the wording of this last Amendment would have to be altered, for, as proposed by the right hon. Gentleman, it would read as if the tires were to be not less than 60 inches in diameter; whereas, of course, the wheels were meant.

MR. SCLATER-BOOTH said, this Amendment was given to him in manuscript, and though he did not doubt the correctness of the source from which it came, he would prefer to withdraw it now, and let it stand over till the Report.

SIR JULIAN GOLDSMID said, the principle of the Amendment was certainly a good one—that the width of the wheel should be regulated by the diameter of the wheel. Of course, with a very large wheel the weight was distributed over a greater space; and, therefore, there was less pressure upon the road than with a smaller wheel.

Amendment *agreed to.*

COLONEL CHAPLIN moved, in line 34, after the word "The," to insert the word "driving." The driving wheel was the one on which the great weight fell, and the steering wheels were by no means so important. If this were accepted, these latter wheels would not cut up the road so much.

Amendment *agreed to.*

MR. SEVERNE moved, in page 9, lines 34 and 35, to leave out all the words after the word "smooth-rolled," to the end of the clause. He was sure the cross-bars on the wheels did great harm to the roads, disintegrating the surface, and breaking it up. Very often the cross-bars extended the full width, or nearly the full width, of the wheel, and they cut into the road to their full depth of ¾ of an inch. Formerly, there was a wide edge to the wheel left smooth; but that was now done away with to a great extent, and, consequently, a great deal more damage was done to the roads than formerly.

SIR JULIAN GOLDSMID said it was quite impossible to accept this Amendment. It would upset the whole of the clause. If such a restriction were agreed to, it would prevent the use of locomotives altogether.

MR. WHITWELL entirely agreed with the hon. Baronet. He had often seen traction-engines run up steep hills, which they would never have been able to mount but for the cross-bars.

MR. SCLATER-BOOTH was sorry he could not accept the Amendment. It would not be reasonable to put in such a restriction as this.

Amendment, by leave, *withdrawn.*

COLONEL CHAPLIN moved, in line 35, after the word "inch" to insert the word "diagonal." If the cross-bars were diagonal, instead of being at right angles to the tire as hitherto, they would not cut up the road nearly so much.

Amendment *agreed to.*

MR. GREGORY moved, in line 37, after the word "thickness," to insert the words "extend to the full breadth of the tire." At present, part of the wheel was sometimes left smooth, and, as a consequence, the cross-bars cut in much more than they would have done if they had extended the whole breadth of the wheel.

Amendment *agreed to.*

SIR BALDWYN LEIGHTON said, he had placed on the Paper two sub-sections, the first of which was intended to secure that the weight of a locomotive should be legibly written upon it. The second gave power to a local authority to construct a weighing machine at some convenient point for the purpose of ascertaining the weight of locomotives. He trusted that the hon. and gallant Member for South Durham (Colonel Beaumont), who took an interest in this matter, might not see any reason to object to this proposal, and that his right hon. Friend the President of the Local Government Board might see his way to adopting it. He begged to move, in page 9, line 38, after sub-section (4), to insert—

"(5.) The exact and true weight of a locomotive, including necessary water and coals, shall be legibly written in letters of not less than one inch in length, and affixed to some conspicuous part of the locomotive. (6.) For the purpose of ascertaining the true weight of a locomotive, any highway district or highway parish authority may, with the consent of the county authority, construct and erect a weighing machine, with necessary approaches, in any convenient place on the road-side; and every locomotive passing along such road shall, once every six months, if required by the surveyor, go upon the said weighing machine, with coal and water supply complete, and be weighed thereon in the presence of the surveyor, whose certificate shall be true and sufficient evidence of such weight."

MR. THOMSON HANKEY said, that while he did not object to the principle involved in the Amendment, he thought it would be imposing a very unnecessary expense upon parochial authorities to require that a weighing machine should be erected in every district throughout the country. He would point out that there was scarcely any place in England where there was not a weighing machine within a convenient distance. Every railway, for example was provided with one, SIR BALDWYN LEIGHTON explained, that what he proposed was not a compulsory, but a permissive power to erect a weighing machine with the consent of the county authority.

MR. THOMSON HANKEY said, he was quite aware of that fact. Yet, surely, it was indicating that it was more or less the duty of every district where a locomotive was used to have one of these weighing machines?

MR. KNIGHT objected to the Amendment, that it would entail an addition to the rates. Everything was to be put upon the rates. It would seem that no Act of Parliament could be brought in without something more being put upon the rates. The Amendment would place an obligation almost on the County Boards to erect weighing machines, though there was one to be found at every railway station. He hoped it would not be pressed.

MR. WHITWELL thought the hon. Baronet hardly contemplated what he proposed to enact. It was, that every highway authority might at some point of a road within their district erect a weighing machine, and that the locomotive should be weighed at that place. But the locomotive might not pass along that road at all. The Amendment said that it was only when passing the weighing machine, that the locomotive should be weighed.

COLONEL BEAUMONT pointed out that the local authorities had already power to cause any traction engine to be weighed. The fact was, however, that it was generally known perfectly well what an engine did weigh, and what amount of coal was required for the purpose of working it, and though he did not think much harm would arise from the passing of the Amendment, he believed it to be unnecessary.

MR. BEAUMONT said, he rather agreed that sub-section 6 appeared to impose an obligation upon the local authorities, and he would, therefore, ask the hon. Baronet to withdraw that portion of his Amendment.

SIR JULIAN GOLDSMID thought the last suggestion was a very good one. To the first part of the Amendment there was no objection; but as regarded the second part, while it might do harm it could not possibly do any good, and there was no use, therefore, in overburdening the Bill with clauses which would serve no good purpose. There were many ways by which the weight of an engine might be easily ascertained, and he would, therefore, join in the appeal made to the hon. Baronet to omit the latter part of his Amendment.

MR. W. STANHOPE remarked, that if the latter sub-section were withdrawn, he still thought that power should be given to local authorities to erect weighing machines where they thought it necessary for the general purposes of the Act.

MR. SCLATER-BOOTH was aware that his hon. Friend (Mr. Stanhope) held that view, and he did not pretend to say that it was an unreasonable one to hold. Perhaps, on the Report, some words might be inserted to enable a local authority to erect a weighing machine if they thought it necessary. He hoped his hon. Friend (Sir Baldwyn Leighton) would be prepared to withdraw the second part of his Amendment.

SIR BALDWYN LEIGHTON: I accede to that request.

Sub-section 6 *withdrawn.*

Question proposed, "That sub-section 5 be inserted."

MR. KNIGHT remarked, that at the present time steam ploughs were in use all over the country, and he should like to know what the owners of them were to do, if this Amendment were agreed to? Were they to wait upon or write to the persons who made them in order to ascertain the exact weight of the engine? It was generally known whether an engine was a 10-ton or a 15-ton engine; but the requirement as to the exact weight would, it seemed to him, give rise to great difficulty and a very troublesome operation. In fact, nobody would be able to use his engine at all. How on earth was one to ascertain the exact weight of locomotives?

MR. CLARE READ pointed out that the engines sent out with steam ploughs invariably had the weight written upon them. All the engines in his district were so marked. There was no hardship in the matter.

SIR JULIAN GOLDSMID agreed that there was no hardship whatever in regard to the question of weight. He believed that the owners of locomotives were perfectly willing to agree to what was proposed, and it was not worth the while of the Committee to discuss it.

Mr. MARLING suggested that the words "exact and true" should be omitted. It would be quite sufficient to say weight.

The CHAIRMAN: That Amendment cannot now be made.

Mr. SCLATER-BOOTH said, he would take care that these words were struck out on the Report.

Amendment *agreed to.*

Mr. GREGORY said, the object of the Amendment which he had placed on the Paper was to give some further notice of the approach of locomotives at night than that already provided for. He also thought that some light should be carried at the rear of the locomotive. He begged, therefore, to move, after line 38, to insert—

> "(4.) In addition to the lights already required, a locomotive shall at night carry a red light in front, and also a light at the rear or end of the same."

Mr. HERMON moved to amend the proposed Amendment, by striking out the words "at night," in order to insert "after dusk and in foggy weather."

Colonel BEAUMONT hoped that the Committee would not agree to the Amendment. If they did, the locomotives, as far as he could see, would have a very bad time of it. If, in addition to the glare from the fires, locomotives had to carry a red light in front, which everybody knew was the signal of danger, and a red light behind, they would become such formidable objects that they might be driven off the road altogether. He was perfectly certain that a provision such as that proposed would have the effect of creating a danger which did not exist at present.

Sir JULIAN GOLDSMID remarked, that there was another objection to the Amendment. Already, under the Locomotives Act, every engine had to carry two lights in front. The hon. Member (Mr. Gregory) now proposed to stick another light in front, and a light behind. Admitting that it might be desirable to have a light behind, still the Amendment, in its present shape, could not be accepted, because, as he had stated, the two lights in front already provided for by Act of Parliament were quite sufficient. He hoped, therefore, that the right hon. Gentleman would not agree to the Amendment in the form in which it was proposed.

Mr. HANBURY said, there was a further objection to what was now proposed. It was already provided that a man must walk before every locomotive. ["No, no!"] He begged pardon; in the day, a man carrying a red flag, had to walk in front of every locomotive. It might be necessary to have a light behind; he thought, himself, such a light would be very useful; but all other lights were already sufficiently provided for. He had never seen any engine—and he had seen a great many of them—which was not provided with lights.

Mr. SCLATER-BOOTH must say that, personally, he would have a great objection to a red light being carried in front. He thought a light behind would be a reasonable requirement; but they need hardly insert a provision to that effect in this Bill.

Amendments *negatived.*

On Question, "That the Clause, as amended, stand part of the Bill?"

Mr. CLARE READ said, his right hon. Friend had stated that he had been in communication with the proprietors of these locomotives. Might he ask him whether they had complained to him of the hardship which they now endured by being made to consume their own smoke, because that was really a very serious impediment to the use of steam on roads? There was no locomotive engine made which could consume its own smoke.

Mr. SCLATER-BOOTH rose to Order. If his hon. Friend would wait till the Committee came to Clause 23, he would find that that question arose, and he might then be able to give him a satisfactory answer.

Mr. PELL said, he wanted to ask the right hon. Gentleman one question. They had now got an Amendment inserted in this clause which required that "the exact and true weight of a locomotive, including necessary water and coals," should be written on the engine. The first sub-section of the clause stated that—

> "a locomotive not drawing any carriage, and not exceeding in weight three tons, shall have the tires of the wheels thereof not less than three inches in width, with an additional inch for every ton, or fraction of a ton, above the first three tons,"

Was that meant to include the water, or coals, or both? It was a point that should be made quite clear.

MR. SCLATER-BOOTH replied, that he had promised to strike out the words "exact and true" on the Report, and to see that the Amendment that had been inserted would otherwise square with the other provisions of the clause.

Clause, as amended, *agreed to.*

Clause 22 (Amendment of Section 3 of Locomotive Act, 1865).

COLONEL BEAUMONT moved, in page 10, line 10, to leave out "the paragraph numbered," and insert "the paragraphs numbered firstly and." He explained that the law, as it stood at present, provided that three men should be attached to every locomotive while in motion. Two of these were the engine-driver and stoker, and the third was the celebrated man who with the red flag walked in front, and whose duty appeared to be to frighten the horses first and render assistance afterwards. He was not by any means disposed or anxious to do anything which should interfere with the safety of the public on the roads; but, on the other hand, he was extremely anxious that no unnecessary cost should be thrown on the people who employed these road locomotives. Now, the Bill, which he certainly thought dealt on the whole both liberally and wisely with the question of locomotive power on roads, provided that the red flag should be done away with. The difference really was that whereas before the third man carried his red flag in front of the train, now the flag was dispensed with and he walked by the side. Under certain circumstances, he could quite understand that a third man was necessary; but in five cases out of six, especially in cases where locomotives were employed on country roads, where they were perfectly well known on the road from their travelling backwards and forwards, and where the people by the roadside hardly took the trouble to look as the engine went by, it certainly was little more than a solemn farce that a man should be employed to walk by the side of that engine. In all probability, he would be riding either on the engine or on one of the cars. He admitted that there were cases where it was extremely desirable that a third man should accompany the train; and he intended, if this Amendment were agreed to, to propose another whereby the local authorities could, when they saw fit, order a third man to be in attendance. He really did not see why the Amendment should not be accepted by the Committee. He did not believe that either the safety or the convenience of the public would be in any way endangered by its acceptance.

MR. SCLATER-BOOTH said, he was about to appeal to the hon. and gallant Gentleman and to his hon. Friend the Member for Peterborough (Mr. Hankey), who had an Amendment of a somewhat similar nature on the Paper, to withdraw both their Amendments, and be content with the Bill as it stood. They were all agreed as to getting rid of the red flag, which did more harm than good; and what he proposed was that the original requirement of three persons to each locomotive should continue, and that one of them should render assistance to carriages passing the same. The hon. and gallant Gentleman (Colonel Beaumont) wanted to reduce the number to two, which would not be an unreasonable thing if he had proposed some provision to meet exceptional circumstances; but it was almost impossible to say when a third or fourth man would be required. There was no local authority for the purposes of the Act except the county authority, who could not be expected to provide for these cases. His hon. Friend the Member for Peterborough (Mr. Hankey) wanted to add to the number of the persons accompanying a locomotive, and to have four persons, instead of three. He would put it to the hon. Gentlemen whether they ought not to withdraw their respective Amendments, and allow the clause to remain as it stood—namely, that there should be three persons with each locomotive, one of whom should, if need be, assist passing carriages?

MR. THOMSON HANKEY said, that the object which he had in view would be entirely met by the Amendment of the hon. and gallant Member for South Durham. All he desired was, that it should be the duty of some person to look out for carriages approaching, so as to give notice to the driver of a locomotive that they were desirous of passing.

Mr. SCLATER-BOOTH: The words in the clause are "shall in case of need assist horses and carriages drawn by horses passing the same."

Sir JULIAN GOLDSMID agreed that it was desirable that there should be some person to assist carriages passing, and the words of the clause entirely met that view.

Colonel BEAUMONT wished to explain how he proposed to deal with the matter. Where assistance was required the engine would be stopped, and there being two men upon it, one would be at liberty to jump off and render any assistance which might be requisite. His contention was, that the third man was simply useless.

Amendment *negatived.*

Mr. SCLATER-BOOTH moved, in line 41, to leave out "Commissioners of Sewers," and to insert "Mayor, aldermen, and commoners."

Amendment *agreed to.*

On Question, "That the clause, as amended, stand part of the Bill?"

Mr. GREGORY moved the omission of the clause. At present, the law provided that a man should go 60 yards in front of an engine, and give warning to approaching carriages. It was now proposed to dispense with such warning, the result of which might be that a carriage might come immediately upon the engine itself, and even at the turning out of a narrow road be brought face to face with it. He ventured to think, that unless some such notice as was now provided for was given to parties approaching these engines, most serious accidents would arise. Therefore, it would be most unfair to deprive the public of that protection which they at present possessed. As far as he knew there was no ground for it, except that it might result in some saving of expense to the proprietors of these locomotives; but in a case in which the public safety was concerned, he did not think that such a consideration should weigh with the Committee.

Sir HARCOURT JOHNSTONE could not agree with the hon. Member for East Sussex in this matter. He thought that a third man stationed so far ahead of an engine was more likely to create panic than to afford protection. He was of opinion that it was far better to have the thing remain as at present, the third man looking out and giving assistance when an emergency really arose.

Sir ANDREW LUSK considered the third man a most useful attendant, in his part of the country at all events, where some portions of the road were so formed that, with these locomotives in the way, it was physically impossible for carriages and horses to pass along, unless this third man went on some distance before the engine and gave the necessary warning. There was not so much difficulty, of course, where the road was wide, and there was plenty of room to pass.

Sir JULIAN GOLDSMID said, the hon. Baronet (Sir Andrew Lusk) was under a misapprehension. The third man was not to be dispensed with; he was only to be differently employed. His duty, at present, was to go on some distance in front of the locomotive and display a red flag—or, in other words, to frighten every horse that came near him. In future, his duty would be to go close to the engine, and be ready to assist passing carriages and horses. That arrangement was much more sensible than the existing one.

Mr. BERESFORD HOPE said, it seemed to him that the advocates of this clause were treating the Committee as one would frighten a disagreeable bull, with a piece of red rag. But after all, the red rag was not an essential part of the question—which was, whether the man should go ahead of the engine, or walk beside it? Looking at the matter from that point of view, and leaving out of consideration the question of "flag or no flag," he certainly thought it a far more sensible expedient that the man should be ahead, in order to prevent a carriage from getting into a hobble, than that he should wait until the carriage got into a hobble, and then try to extricate it. In a crooked, and especially a narrow lane, a carriage might come suddenly upon one of these engines, and what would happen? The horse would begin to plunge, and, if so, the man should be there to hold its head, and carry out the negotiation between the two vehicles, and cause the engine to stop, before any accident occurred. But, if he remained at the side of the locomotive, he would be a little too late to stop the impending disaster. For his part, he advised that the clause should be withdrawn till the Report, and then the Government, who had dealt with more difficult questions before, might turn their attention to this question of "flag or no flag;" but, at least, let them have their protecting angel walking on in front.

Question put.

The Committee *divided*:—Ayes 185; Noes 76: Majority 109.—(Div. List, No. 201.)

Clause 23 (Steam locomotives to be constructed so as to consume their own smoke).

MR. CLARE READ moved, after the word "smoke" in line 21, to insert "as far as practicable." It was quite impossible, the hon. Member said, for an engine entirely to consume its own smoke. There must be some kind of bituminous coal used in order to get up steam; and everybody who had any knowledge of these matters must be aware that it was impossible, as engines were constructed, that they could consume the whole of their smoke. He believed that locomotives on railroads were bound to consume their own smoke; but he was not aware that they did so. They were also required to use nothing but coke, but he believed they did not comply with that requirement at any time. Therefore, he thought the Amendment he proposed was not out of place, and he hoped the right hon. Gentleman would accept it.

MR. SCLATER-BOOTH said, his hon. Friend who moved this Amendment did not quite comprehend the effect of the clause as it then stood. It did not provide that a locomotive should be compelled to consume its own smoke. That was what the existing law did, and great hardship had arisen, and unjust prosecutions instituted in consequence. An Amendment, of which another hon. Friend had given Notice, was perfectly intelligible—namely, that a locomotive should be constructed on a principle by which it might consume its own smoke. That proposal would not be open to the objection to which this was liable.

MR. CLARE READ remarked, that the principle was one which could not be carried out in practice, as no locomotive yet invented could consume its own smoke.

MR. BELL said, it was a mere delusion to suppose that, with certain kinds of coal, an engine could completely do so, although the evil was often unnecessarily increased by the carelessness of the firemen.

MR. PAGET was of opinion that the introduction of words to the effect that an engine should be so constructed as to consume its own smoke, as far as possible, would not meet the difficulty of the whole case. What was wanted was a provision that not only should it be so constructed, but that it should be so used as—as far as possible—to consume its own smoke.

SIR JULIAN GOLDSMID thought it was much better to leave the clause as it stood. It would otherwise lead to all kinds of litigation, and that would be, by no means, a satisfactory result. The words in the clause were found in other Acts of Parliament, and he believed they were the right words to use on the present occasion.

MR. KNOWLES said, if the clause were intended to be operative, it ought to stand unaltered, leaving it to these engines to consume their own smoke, if it should be found possible. If there were any real difficulty in the matter, the insertion of the words "as far as practicable," would meet it; because his contention was, that it would be simply impossible, in all cases, to consume the smoke. He deprecated going into too much detail in a Bill of this kind, as imposing great hardship upon tenant-farmers, for he believed the time was not far distant when they would have to adopt considerably more steam-power in their operations than they used at present. He was afraid they would find that this legislation, instead of protecting them, would place them in more difficulties than any other trade experienced. He thought that, if the Amendment were adopted, it would make the clause, at all events, more complete. If it were agreed to, he would suggest that the sum of 5*s*. a-day should be substituted for £5.

MR. SCLATER-BOOTH assured the hon. Member for South Norfolk (Mr. Clare Read), that the meaning of the clause would not be altered by the insertion of this Amendment.

SIR BALDWYN LEIGHTON believed engines might be reasonably expected to consume the smoke if they used Welsh coal, which was not much more expensive than other kinds.

Amendment *negatived.*

Sir BALDWYN LEIGHTON then moved, in page 10, line 21, after "smoke," to insert the words "and shall consume the same as far as practicable." The hon. Member expressed his belief that the Amendment would meet the difficulty which had been complained of in the discussion on the preceding proposal.

Amendment *negatived.*

Clause *agreed to.*

Clause 24 (Power to local authorities to make orders as to hours during which locomotives may pass over roads).

Mr. GREGORY moved, in page 10, line 35, after the word "twenty-four," the addition of the following words:—

> "For regulating the use of locomotives upon any highway, or preventing or regulating such use across any bridge where such authority is satisfied that such use will be attended with danger to the public from the narrowness, inclination, or imperfect construction of such highway or bridge respectively."

The hon. Member reminded the Committee that he had proposed a similar Amendment, though not exactly in the same words, upon Clause 20, and that there appeared to be a disposition to accept the proposal, the only question being where the Amendment ought to come in. The right hon. Gentleman (Mr. Sclater-Booth) thought it would more properly find a place at this part of the Bill. The wording of the Amendment, as first proposed, had now been altered, in order to embrace the suggestions which had been made on the subject in the course of the previous discussion. The Amendment would have the effect of enabling the county authorities to regulate the traffic as regarded bridges and the passing of locomotives over them. Where danger to the public was threatened, they would have power to prohibit these engines from going over bridges. It was obvious that there might be cases, where the bridge was so comparatively weak, as not to bear the weight of one of these locomotives; and, of course, in such cases, it was only right that the authorities should be empowered to interfere in order to prevent accident. As the law stood, nothing could be done by them until the locomotive had actually broken down the bridge, the consequence of which was that, without a bridge, the public was put to considerable inconvenience, probably for months. The Amendment was also intended to give the authorities power to regulate the use of locomotives, with regard to the narrowness, or imperfect construction of highways. He hoped the Committee would accept the Amendment in its present form.

Sir JULIAN GOLDSMID said, the Amendment, as proposed, did not entirely carry out what was intended. Thrashing machines, for instance, were used in the narrowest of roads; because, necessarily, they had to be removed from one part of a farm to another part. Consequently, it would be requisite to omit the words "such highway," which appeared in the latter part of the Amendment.

The CHAIRMAN pointed out that the object which the hon. Member had in view would be gained by leaving out the words "highway or."

Mr. GREGORY expressed his willingness to adopt the alteration just proposed, provided the right hon. Gentleman (Mr. Sclater-Booth) was prepared to accept the Amendment he had moved. He thought that the alteration proposed by the hon. Baronet (Sir Julian Goldsmid) would have the effect of giving the local authorities unlimited power of regulating the use of locomotives on highways, which, probably, was not his intention; whereas, the objection of his Amendment was to give them power only in certain circumstances—as narrowness, inclination, or imperfect construction.

Mr. SCLATER-BOOTH said, he would accept the Amendment of the hon. Member for East Sussex (Mr. Gregory), and consider the whole matter before the Report with the view of bringing in, if possible, a clause that should carry out the spirit of the proposal.

Mr. PAGET thought it was very necessary that the Committee should have a definition of the term "regulations," so that their nature and extent might be clearly understood. It was also desirable that it should be stated whether the Amendment proposed to vest in the authorities powers of imposing regulations other than those provided by Statute.

Mr. SCLATER-BOOTH replied, that the regulations would be of the nature of bye-laws.

Sir JULIAN GOLDSMID said, the clause was one that should be very carefully drawn. He had not the Amendment of the hon. Member before him, and could therefore only catch the words as they were read. He would suggest that the right hon. Gentleman (Mr. Sclater-Booth) should not insert the clause at that time, but confer with the hon. Member for Sussex (Mr. Gregory) and bring it up on Report. It was a great mistake to insert words without knowing their application, leaving them to be amended afterwards.

Mr. SCLATER-BOOTH said, he would undertake to review the whole subject very carefully between that time and the Report, and make the clause fit in with the general sense of the Amendment.

Amendment, by leave, *withdrawn.*

Clause *agreed to.*

Clause 25 (Power of county authority to license locomotives).

Mr. SEVERNE said, it was only fair that the fees chargeable for licensing locomotives should be paid to the highway districts where they accrued. By this means, he believed that some appreciable compensation would be made for the damage done to roads of particular districts; whereas, if the fees were given to the whole county, it would be impossible to apportion the amount of fees earned in each highway district. He therefore moved, in page 10, line 40, to leave out the words "their county," and insert the words "each district." The two other Amendments having reference to the same part of the clause, and standing in his name, he did not propose to move.

Mr. SCLATER-BOOTH hoped the hon. Member would not insist on his Amendment.

Amendment, by leave, *withdrawn.*

Mr. SEVERNE, in moving, in page 10, line 40, to leave out the word "ten," and insert the word "twenty," said, that when the damage done by each locomotive throughout the country was considered, the amount of £10 to be charged as fees on locomotives was too small, and he was satisfied that the sum of £20 would not be excessive. He ventured to give the Committee an idea of the increase in the cost of maintaining some roads in the districts with which he was connected, since the introduction of locomotives. The cost of one road, which was formerly £15 per mile, had been raised to £60. In another district the cost, which previously stood at £30 per mile, now amounted to £240, with the prospect of a very large rise. In the Oswestry district, the previous cost was £26 per mile, and it had now reached £500. On the other hand, what was the amount contributed by those mines and places from which the traction engines ran? In the first district, absolutely nothing was contributed; in the second, the rating was paid on £270 only; in the third district, nothing was paid; and in the Oswestry district, the rate was 15*s.* The contributions under the toll system were very different indeed. In the Oswestry district, for instance, the tolls formerly payable on locomotives under that system amounted to £87 a-year; but the tolls having been done away with, the engines now ran without paying anything. He trusted that some consideration would be shown to the highway districts by increasing the fees on locomotives, and that if the sum of £20 mentioned by him was not considered sufficient, a larger sum would be named.

Sir JULIAN GOLDSMID thought the sum of £10 fixed by the Bill sufficient for the purpose of fees.

Mr. SCLATER-BOOTH said, he was not prepared to go further than the limit of £10. It would be imposing too heavy a burden, to increase the fine upon locomotives that were already subject to all the various restrictions and regulations of the Bill with the object of preventing abuse of the roads.

Mr. KNIGHT hoped that every engine drawing a thrashing machine would not be subject to a fee of £10, and that the right hon. Gentleman would draw up two Schedules—one for the constant, and the other for the occasional, traffic.

Mr. CLARE READ said, the right hon. Gentleman had promised to distinguish between "extraordinary traffic" and "temporary traffic." The traffic then being considered was of a constant character, and he trusted it would be dealt with when the new clause was brought up.

Sir ANDREW LUSK thought it desirable that the amount of fee should be increased to £20.

Amendment *negatived.*

Clause *agreed to.*

Clause 26 (Duration of Part II. of Act), *agreed to.*

Part III.

Procedure and Definitions.

Clause 27 (Confirmation of Provisional Order) and Clause 28 (Confirmation of bye-laws), *agreed to.*

Clause 29 (Recovery of penalties and expenses).

Mr. SEVERNE hoped that the Amendment standing in his name would be accepted. He thought, at all events, that the fines recoverable under the bye-laws should go to the district fund, and with that view he would move, in page 12, lines 12 and 13, to leave out the words "county rate," and insert the words "funds of the district where the offence was committed."

Mr. SCLATER-BOOTH said, he had no objection to the Amendment.

Amendment *agreed to.*

Sir JAMES M'GAREL-HOGG moved, at the end of the clause, to add the words—

> "Except that penalties imposed in the Metropolis outside the City of London shall be paid to the Receiver for the Metropolitan Police, and that penalties imposed in the City of London shall be paid to the Chamberlain of the City."

Amendment *agreed to.*

Clause, as amended, *agreed to.*

Clause 30 (Form of appeal to quarter sessions).

Mr. BRISTOWE said, as it was very undesirable that notices of appeal should be given verbally, he would move, in page 12, line 27, after the word "thereof," to insert the words—

> "Such notice of appeal shall be in writing, signed by the person or persons giving the same, or by his, her, or their solicitor on his, her, or their behalf."

Amendment *agreed to.*

Clause, as amended, *agreed to.*

Mr. Clare Read

Clause 31 (Interpretation).

Mr. RYLANDS, in moving, in page 13, lines 11 and 12, to leave out from the words "county authority," to the end of the sentence, and insert the words—

> "The county authority for the purposes of this Act shall, until Parliament otherwise provide, be a body constituted as follows: The court of quarter sessions shall from time to time appoint a committee of not less than five, nor more than nine, justices of the peace for the purposes of this Act, and such committee shall not be affected by the termination of the session at which they are appointed. With such committee there shall be associated, with equal powers, rights, and duties, the chairman of every highway district board having jurisdiction over any road or roads within the county, and the mayor of every municipal borough within the county. The clerk of the peace of the county shall act as clerk of the county authority for the purposes of this Act. The expenses of the county authority shall be paid out of the county rate,"

said, the principle contained in his Amendment was one which he hoped would secure the support of hon. Gentlemen on both sides of the House. He had followed to a great extent the exact words used by the right hon. Gentleman in the Amendment accepted by him on the Valuation Bill. He (Mr. Rylands) was quite aware that it might be said that he was in some respects proposing a County Government Bill, but he was doing nothing of the kind. He hoped that the right hon. Gentleman (Mr. Sclater-Booth would, in a future Session, be able to bring forward a County Government Bill that would meet the necessities of the case, and ensure to the ratepayers of counties that voice in the management of county affairs, and in the levying of county rates, to which they were fairly entitled. They were, under the Bill, about to give to county authorities very extensive powers of a three-fold character. In the first place, the authorities might, if they thought fit, determine that a road, which had been an ordinary highway and as such entirely maintained by the locality through which it passed, should become a main road, and be taken from the charge of the local authorities, and that half the expense should be borne by the county. That was a very important power, and its effect would be that a number of roads, having a great traffic, and which had been maintained by separate localities, might become a charge upon the counties. He maintained that they had no right to give to irresponsible and non-representative authorities the power to impose that additional burden upon the county at large. The next very important power to be entrusted to the county authorities was that of turning a main road into a highway; which meant that they would have the power of converting into an ordinary highway a main road passing through several districts, and which road, under the present Bill, might be maintained, half at the cost of the county, and half at the cost of the districts through which it passed. In that case, the whole charge would fall upon the county districts. This was an important power which should not be exercised by county justices. Again, these authorities were also entrusted with the power of making bye-laws. It was very important that the County Board should be able to make bye-laws, and he had no objection to their exercising such power, within certain limits; but, clearly, that Board should be representative. It was only fair that the ratepayers should be represented; and there, again, they came upon the fact that the members of the Board, as provided for by the Bill, did not hold their position because they represented the opinions of the ratepayers, but simply because they were considered fit persons to occupy such positions, being selected solely by the Lord Lieutenant. He entirely objected to placing powers of the nature he had described in the hands of gentlemen who were in no way the representatives of the ratepayers. Without discussing the principle of the Scotch Roads and Bridges Bill, he might refer to it for the purpose of showing that it made provision for the representation of ratepayers. He could not understand why the Government should bring in two Bills to run at the same time, and having in view the same object, which separately embodied the opposite principles of giving representative Boards to Scotland and refusing them to the ratepayers in England. The right hon. Gentleman (Mr. Sclater-Booth), moreover, proposed to tax boroughs for the maintenance of county roads in a way they had never been taxed before for county road purposes; and the county authorities were to have the power to take a burden off country districts—at that time charged with the maintenance of roads—and cast it upon large towns. He, therefore, thought it not unreasonable that, when it was proposed to alter in this important manner the incidents of local taxation, those who were so much interested in the arrangement should have a voice in the matter. He trusted that the right hon. Gentleman, who had two or three years ago introduced a Highway Bill, by which a representative element was admitted to the county authority, would accept the present Amendment. He could not see why there should be any hesitation whatever in assenting to the Amendment of which he had given Notice with the object of giving to ratepayers a fair and reasonable representation. It was admitted that the present measure was of a temporary character; but, at the same time, it was to be remembered that it called into existence new charges, and effected in counties a very considerable change in the incidence of taxation. The argument was, therefore, extremely strong, that if that change were made the Government should not object that the districts affected by the Bill should be represented in the management of the roads and in those arrangements which might be carried into effect. He was not concerned to adhere to the precise terms of his Amendment, but would be ready to accept any reasonable Amendment which would attain the object he had in view. He need hardly say this Amendment would be no impediment to the subsequent establishment of County Boards. It would merely operate as a temporary arrangement, and when County Boards were established, the powers over the highways now vested in the County Highway Board could be transferred to them. He would again say, he trusted that the right hon. Gentleman and the Committee would accept the Amendment.

MR. SCLATER-BOOTH opposed the Amendment, as he did not think it could be disputed that the magistrates were a fit body to perform such ministerial acts as they were empowered to do by the Bill. It had been said that there was no representation of the boroughs, but it was equally true that there was none of the parishes in the highway district. The county magistrates might be as well trusted to represent the boroughs for the purposes of the Act as the parishes and the highway districts. Then, again, it might be urged that the administration of the Highway Acts of 1862 and 1864 being vested in the court of quarter sessions, the court had still, under those Acts, the power to alter and vary a highway district. No doubt, that was so; and it would be quite impossible, without reviewing those Acts, to make them workable in connection with such a special county authority as proposed in the Amendment. For these reasons, and for the fact that the Bill laid down with so much precision what was to be done by the county authorities—that they were to perform merely ministerial duties, he could not accept the Amendment. He freely admitted that much more might be left to a representative body than was permitted to the magistrates; but it must be remembered that this was only a temporary measure, and at a future time he hoped a representative body might be formed.

Mr. CLARE READ objected to so much power being placed in the hands of the magistrates. He consoled himself, however, with the belief that they would not exercise it to any great extent. This measure was admittedly a temporary one, and in his district, at least, he believed magistrates would think twice before they incurred the trouble of making a new class of highways. The Amendment was, however, so wide in its terms, that he felt compelled to oppose it. Moreover, he also thought that the mere fact of these matters being left in the hands of quarter sessions would expedite the formation of county boards.

Mr. WHITWELL understood the President of the Local Government Board to say that this was a temporary measure; there was no doubt if it were not, it was full of injustice. It was clear that corporations and boroughs would, under the Bill, stand in a totally different position from what they had hitherto done with regard to the administration of county matters when vested, as the Bill proposed, entirely in the county justices. He did not object to the county justices; on the contrary, he thought they took as much care of the money in their charge as any other body would do; but still there ought to be some representatives of the boroughs associated with them. There ought to be some better reason given for the non-representation of the large boroughs which contributed so much to the rates. It was said that the ratepayers of the county were not represented, but they were so, more or less, by the justices themselves, who were large owners of land. There was no such corresponding relationship betweeen the county justices and the owners of property in boroughs. The hon. Member for Burnley (Mr. Rylands) aimed at what was reasonable, and before the Bill passed he hoped he would propose some mode by which a representative system could be given to boroughs. While supporting the Amendment, he should not, however, offer any impediment to the progress of the Bill, but would trust to the Government for adopting the principle involved in the Amendment.

Mr. RYLANDS said, he was quite aware that there were districts where no highway authority existed. The Bill required a Provisional Order to enable the county authority to throw upon a district the expense of a road previously a main road; but there was no Provisional Order required to authorize the expenses of a main road being taken off a district. That was another reason why an elected representative authority should be insisted upon. He did not think that the Government had offered any sufficient reason why the Bill should effect the injustice of imposing rates upon a locality without giving it representation in the matter.

Mr. HIBBERT agreed with the hon. Member for Burnley (Mr. Rylands), that there should be some representation upon the County Boards, but thought that the mode in which he proposed to effect it would be quite unworkable in the large counties in England. His hon. Friend proposed that there should be a committee of not less than five or more than nine justices; taking the municipal boroughs in Lancashire, there would be a body of something like 30 borough representatives against the nine county justices. As a similar state of things would exist in other large counties, he considered the proposal unworkable.

Amendment *negatived.*

Mr. SCLATER-BOOTH moved, in Clause 31, page 13, after line 34, to insert—

" 'Urban Sanitary District' and 'Urban Sanitary Authority,'' mean respectively the districts and authorities declared to be urban sanitary districts and authorities by 'The Public Health Act, 1875,' except that for the purposes of this Act no part of any borough, having a separate court of quarter sessions, shall be deemed to be or to be included in any such district.''

Amendment *agreed to.*

Clause, as amended, *agreed to.*

On the Motion of Mr. SCLATER-BOOTH, the following Clauses were *inserted:*—In page 3, after Clause 7, insert the following Clause :—

" All moneys borrowed by a highway board after the first day of April, one thousand eight hundred and seventy-nine, under the Highway Acts, shall be charged on the district fund, but nothing in this Act shall affect the security, chargeability, or repayment of any money so borrowed before the said first day of April, one thousand eight hundred and seventy-nine.''

In Page 6, to leave out Clause 18, and insert the following Clause :—

Extraordinary Traffic.

(Power of road authority to recover expenses of extraordinary traffic.)

"Where, by a certificate of their surveyor, it appears to the authority which is liable, or has undertaken to repair any highway, whether a main road or not, that, having regard to the average expense of repairing highways in the neighbourhood, extraordinary expenses have been incurred by such authority in repairing such highway by reason of the damage caused by excessive weight passing along the same, or by extraordinary traffic thereon, such authority may recover in a summary manner from any person by whose order such weight or traffic has been conducted, the amount of such expenses as may be proved to the satisfaction of the court having cognizance of the case to have been incurred by such authority by reason of the damage arising from such weight or traffic as aforesaid.

"Provided, That any person against whom such expenses are or may be recoverable under this section may enter into an agreement with such authority as is mentioned in this section for the payment to them of a composition in respect of such weight or traffic, and thereupon the persons so paying the same shall not be subject to any proceedings under this section.''

In Page 8, after Clause 19, insert the following Clause:—

Appointment of Surveyors in certain Parishes.

(Removal of doubt as to appointment of surveyor in certain parishes.)

"Whereas doubts have arisen whether a surveyor of highways can be appointed, in pursuance of 'The Highway Act, 1835,' for a parish which does not maintain any highway: Be it therefore enacted, That it shall be lawful for the inhabitants in vestry assembled of any parish or place having a known legal boundary (notwithstanding that the inhabitants at large are not for the time being liable to maintain any highway or to contribute to any rate applicable to the maintenance of highways), or on the neglect or refusal of such inhabitants for the justices at a special sessions for the highways or in petty sessions assembled at any time to exercise all the powers of the Highway Acts with respect to the election or appointment of a surveyor of highways with or without a salary for such parish or place; and any surveyor so elected or appointed shall have all the powers and duties (including the power of making, assessing, and levying of highway rates) of a surveyor under the Highway Acts."

On the Motion of Mr. PELL, the following Clause was *inserted* in page 4, after Clause 10 :—

(Power of county board to enforce performance of duty by defaulting highway authority.)

"Where complaint is made to the county authority that the highway authority of any highway area within their jurisdiction has made default in maintaining or repairing all or any of the highways within their jurisdiction, the county authority, if satisfied after due inquiry and report by their surveyor that the authority has been guilty of the alleged default, shall make an order limiting a time for the performance of the duty of the highway authority in the matter of such complaint.

" If such duty is not performed by the time limited in the order, and the highway authority fail to show to the county authority sufficient cause why the order has not been complied with, the county authority may appoint some person to perform such duty, and shall by order direct that the expenses of performing the same, together with the reasonable remuneration of the person appointed for superintending such performance, shall be paid by the authority in default, and any order made for payment of such expenses and costs may be removed into the High Court of Justice, and be enforced in the same manner as if the same were an order of such court.

" Any person appointed under this section to perform the duty of a defaulting highway authority shall, in the performance and for the purpose of such duty, be invested with all the powers of such authority other than the powers of making rates or levying contributions by precept, and the county authority may from time to time, by order, change any person so appointed.

" Where an order has been made by a county authority for the repair of a highway on a highway authority alleged to be in default, if such authority within three days after service on them of the order of the county authority give notice to the clerk of the peace that they decline to comply with the requisitions of such order until their liability to repair the highway in respect to which they are alleged to have made default has been determined by a jury, it shall be the duty of the county authority either to satisfy the defaulting authority by cancelling or modifying in such manner as the authority may desire the order of the county authority, or else to submit to a jury the question of the liability of the defaulting authority to repair the highway.

"If the county authority decide to submit the question to a jury they shall direct a bill of indictment to be preferred to the next practicable assizes to be holden in and for their county with a view to try the liability of the defaulting authority to repair the highway. Until the trial of the indictment is concluded the order of the county authority shall be suspended. On the conclusion of the trial, if the jury find the defendants guilty, the order of the county authority shall forthwith be deemed to come into force; but if the jury acquit the defendants the order of the county authority shall forthwith become void.

"The costs of the indictment and of the proceedings consequent thereon shall be paid by such parties to the proceedings as the court before whom the case is tried may direct. Any costs directed to be paid by the county authority shall be deemed to be expenses properly incurred by such authority, and shall be paid accordingly out of the county rate; and any costs directed to be paid by the highway authority shall be deemed to be expenses properly incurred by such authority in maintenance of the roads within their jurisdiction, and shall be paid out of the funds applicable to the maintenance of such roads."

Mr. KNOWLES moved, in page 4, after Clause 10, to insert the following Clauses:—

"So much of section one hundred and forty-nine of 'The Public Health Act, 1875,' as enacts that all streets being or which at any time may become highways repairable by the inhabitants at large within any urban district shall vest in and be under the control of the urban authority shall be and the same is hereby repealed; and, in lieu of being so vested, the urban authority shall have and be entitled to an easement only over such streets, and, in virtue of such easement, such streets, and the pavements, stones, and other materials thereof, and all buildings, implements, and other things provided for the purposes thereof shall be under the control and management of the urban authority, with full power for such urban authority from time to time to cause all such streets to be levelled, paved, metalled, flagged, channelled, altered, and repaired as occasion shall require, and to cause the soil of any such street to be raised, lowered, or altered as they may think fit, and to place and keep in repair fences and posts for the safety of foot passengers, and to protect such streets against trespass or damage.

"The soil and freehold of such streets, and the mines of coal, iron stone, slate, and other minerals thereunder, shall be and remain the property of the person who would have been entitled thereto if the said Public Health Act, 1875, had not been passed, with all such powers of working, getting, and carrying away the same, and the produce thereof, as he would have had if such Act had not been passed."

He said that he proposed these clauses in order to settle the point as to the ownership of the soil of the streets and highways repairable by the inhabitants at large within any urban district under the Public Health Act. It had been decided under this Act the soil of the highway vested in the urban district and not in the adjoining owners of land. That being the decision of a court of law, it followed that the minerals were also vested in the highway authorities, and the rights of mineowners and others would be seriously interfered with. It was not intended by the Public Health Act to change the ownership of the soil of the road; but since the judgment to which he had alluded, that had been its effect. This was a Highway Bill, and it seemed to him the proper place for setting right this matter.

Mr. SCLATER-BOOTH did not wish this Amendment to be taken as unopposed; but at that hour he thought the best plan would be to report Progress.

Committee report Progress; to sit again *this day.*

The House suspended its Sitting at Seven of the clock.

The House resumed its Sitting at Nine of the clock.

MOTIONS.

—o—

IRISH LAND ACT (1870).

RESOLUTION.

Mr. ERRINGTON, in rising to call attention to the Irish Land Act, 1870; and to move—

"That an humble Address be presented to Her Majesty, praying that She will cause an Inquiry to be made as to how far the Act in its present form really secures to the Irish tenant the benefits intended to be conferred on him by it; how far Clause 3 has operated to check capricious eviction; whether notwithstanding the provisions of the Act excessive rents confiscating the improvements declared by it to be the property of the tenant have been exacted; and whether any, and, if so, what steps should be taken by amending the Act or otherwise to render it more effective;"

said: Mr. Speaker, I own I approach this question with even more than ordinary anxiety, and that for two reasons. First, because it really is so serious and so arduous, that I sincerely wish it were in hands more experienced than mine; and, secondly, because I cannot help feeling that at first sight I may appear to be open to the imputation that I am endeavouring, by some sort of a side-wind, to induce the House to consider over again a question which has already been discussed and decided this Session. I hope I am incapable of anything of the kind, and that if hon. Gentlemen will bear with me for a moment, I shall be able to clear myself from that imputation; and, let me add, that in the observations I have to make, I shall try to be as brief as I can, and not to trespass more than necessary on the time and patience of the House. Sir, this Motion has been most carefully framed, not with the object of merely raising a technically narrow issue, but in order to confine this discussion, as far as may be, strictly within the four corners of the Act of 1870, and thereby to give it a really practical character. We desire, in fact, to review the legislation which Parliament has already seen fit to apply to Ireland; and not, on this occasion, to discuss measures which, at some future time, it may be deemed expedient to adopt. And here I ought, in passing, frankly to admit that my own views and expectations do carry me further in the way of reform than anything strictly contained within the Act of 1870; but that is no reason why I should not loyally accept and try to make the best of that Act. And, in the same way as in the early days of Parliamentary Reform, many sincere Reformers, though they might look forward with a sort of prophetic expectation to such measures as vote by ballot or household suffrage, could still devote themselves honestly to develop the very moderate proposals of 1832—so I think it is a wise and prudent course for Irish Members to take their stand boldly on the Act of 1870; to recognize the great concessions which that Act has made to our just demands; to endeavour to improve, and amend, and make it as efficient as possible; and, above all, not to sacrifice the probabilities of to-day to the possibilities of to-morrow. Let me at once indicate the lines on which I propose to proceed. This Motion is one for Inquiry. In order to justify such Inquiry, I think I must show three things. First, I must define exactly what I understand to have been the objects and intention of the Act of 1870, and of those who passed it; secondly, I must make a *primâ facie* case, at least, that those objects and intentions have not been fairly and adequately carried out during the seven years in which the Act has been in operation; thirdly, I must satisfy the House that such an Inquiry as we ask for would probably tend to the more effectual realization of those objects, and that it would not be attended by any evil consequences. Now, Sir, as to the first of these points, the Preamble of the Act gives me little assistance, for it merely states, in the usual general terms, that it is expedient to amend the law. I am, therefore, obliged to turn, for one moment, to the debates which accompanied the passing of the Act. And here I would remind hon. Gentlemen that the Act was passed not by any mere Parliamentary or Party majority; on the contrary, it received the distinct adhesion of the Leaders of both sides; it was in no sense a triumph of Party over Party, or class over class. And, although I know that there was a division on the second reading in this House, and although the minority of 11 on that occasion did contain the name of one distinguished individual, who, when he gave that vote, perhaps, little expected that he would be so soon called on to take an official interest in this great question, still I contend that that minority, by its very constitution, actually served to accentuate what was virtually the unanimous adhesion of Parliament and of the country to the principles of that measure. And I should observe, in passing, that it may probably turn out that to the concessions made in order to secure this most important *quasi*-unanimity are due many of the shortcomings of which we now have to complain. But what were the principles of the measure? I turn with pleasure to the speech of an hon. Friend of mine who sits opposite, one who has always been regarded as a great authority on this question, and whom certainly nobody can accuse of being unduly biassed against the landlord side—I allude to my hon. Friend the Member for Carlow (Mr. Kavanagh); and he, Sir, speaking on the second reading, most fairly, as he always does, said he supported the Bill because it contained—

> "Two essential principles which he had long regarded as affording the fairest basis for legislation upon this important subject. These two principles were, the institution of penalties to prevent capricious evictions, and the securing to the tenant the right of compensation for substantial improvements executed at his own expense."—[3 *Hansard*, cxcix. 1406-7.]

And he went on to say—

> "The general effect would, he hoped, be to give to the Irish tenant-at-will a feeling of security to which up to this time on some properties he had been a stranger."—[*Ibid.*, 1413.]

I should be quite content to take this as my basis; but, perhaps, the House will allow me to quote one most pregnant sentence from the speech of the right hon. Gentleman, then First Lord of the Treasury (Mr. Gladstone), on introducing the Bill. Speaking of the objects of the Bill, he said—"Again, I say, the evil with which we have to contend is insecurity of tenure." He then enumerated the four forms in which this insecurity chiefly manifested itself. They were—First, by confiscation of customary privileges; secondly, by lavish service of notices to quit; thirdly, by direct eviction; fourthly, the form with which I am chiefly concerned this evening, for it resumes in itself the most pressing and practical defects of the Act. In the words of the right hon. Gentleman—

> "And the fourth has appeared when demands for increased rent have been made on the tenant founded solely upon the value which he, by his labour and his capital, has added to the soil. That power of demanding an increased rent is entirely dependent on the *ultima ratio* of eviction; and, treading sometimes but too closely on the heels of that power, there has been the *ultima ratio* itself; which, as I have shown, within the last half-century has been made far more formidable by the direct action of Parliament."—[*Ibid.*, 355.]

And now I am in a position to define the objects of the Act. I would divide those objects into direct objects and one indirect object; and gathering together, as well as I can, the minor and less important points, I would say that, broadly, there were two main direct objects—First, to secure to the tenant a fair and reasonable amount of stability in his occupation; and, secondly, to secure to him the full value or enjoyment of the improvements made at his own expense. Then, the indirect object, which was to be attained through the medium of these direct objects, was to set up in the country a general sense of security and confidence, which should go far to efface the traces of an unfortunate past, and lay the foundations for a happier and more prosperous future. And now, how far have these objects been attained? Sir, the Act was received with hope and gratitude, and, certainly, as an important part of that great message of peace of which we have heard so much. It is, no doubt, sometimes alleged that the expectations it raised were unreasonable and extravagant. They may have been so in some interested quarters; but I entirely deny that anything of the sort was general, and I concur in the force and truth of the eloquent words on this point of the right hon. Gentlemen I have already quoted. He said—

> "After so long a period of depression and despondency, I cannot, for one moment, be surprised that, in some cases where this hope has been revived, it has in the minds of some been such as to exhibit elements of a riotous exuberance. But, on the whole, I do not think there is much to complain of in this respect."—[3 *Hansard*, cxcix. 349.]

I am convinced, and I appeal to those who know Ireland best to bear me out, that had these two main *bonâ fide* objects of the Act been to a reasonable degree effected, you would have gone far towards establishing that sense of security of which we all feel so much the want. But what has been the case? I fear it requires no Inquiry to satisfy us that this indirect object has not been attained, and that so far as it is concerned the Act has been an absolute and total failure; on this point all are agreed, the friends of the Act as well as its enemies. Now, I would point out a very important consideration. If this indirect object had been attained, that would have been, I take it, clear and positive proof that the two direct objects had also been attained, and for this reason—because it is impossible to conceive a general sense of security existing without there having previously been established a fair amount of confidence in security of property of all sorts, in separate and individual cases. Now, I admit that the converse of this proposition is not equally self-evident or necessarily true, still the presumption in its favour is very strong. But I do not wish to rest my case merely on presumption, however strong; we can carry it much further; and if, in addition to this presumption, I can show that the provisions of the Act, as tested and developed by seven years' practice, not only permit, but absolutely lead to and encourage, violation of its avowed objects; and if, further, I can give instances, not of a mere occasional or sensational kind, but of common-place every-day occurrence, in which such violation is taking place in different parts of the country, that, I think, will be a *primâ facie* case on which we shall have a right to ask the House to help us to proceed. Sir, the fundamental maxim on which this Act was built, was, that a large proportion of Irish tenants were so absolutely dependent on the land, that they required more protection than the law then gave them against the possible abuse of the landlord's power. It was felt, as I have stated, by those who passed the Act, that the two principal forms under which this abuse prevailed was, first, by direct eviction—that is eviction for its own sake; and, secondly, by eviction used as a lever to enforce conditions of tenancy more or less harsh or oppressive. Recognizing, further, in the landlord's unlimited power of eviction, the *ultima ratio* on which such abuses rested, they saw the necessity of placing some check on this absolute power. The Act tried to do this by laying down a scale of money payments which should act in a two-fold capacity—on the one hand, as a deterrent to the landlord from evicting except for just and serious cause; and on the other, as a compensation to the tenant for his loss from eviction, if enforced without such just and serious cause. According to the words frequently used in the debate, the payment was to be "a fine on causeless eviction;" it was also to "give to the tenant shelter against loss from eviction, and make that shelter effectual." Sir, this was a totally new and tentative idea, and, naturally, it offered great difficulties of detail. Accordingly, no part of the Act was more fully discussed than this Clause 3; and I am sure it must be evident to the House that, on the proper adjustment of this scale of compensation, the whole failure or success of the Act to protect the tenant necessarily turned. Now, if hon. Gentlemen will consider the matter for a moment, they will see that the efficiency of any such scale of payment as a deterrent to the landlord, necessarily depends on its sufficiency as compensation to the tenant; for if it falls altogether below the value which the tenant, in accordance with social conditions, sets on his tenancy, he will not take it into consideration when making his bargain with the landlord, and he will submit to any terms rather than willingly avail himself of it; the landlord, knowing this, will be able to enforce any terms he pleases, however crushing, short of the very last straw, without fear of having to pay the fine. We contend this has occurred in practice, and I challenge anyone to find me a case in which the tenant has ever weighed the compensation offered by the Act as against his loss in leaving his farm, even under pressure of the hardest terms. Hon. Gentlemen have heard a great deal about the value Irish farmers set upon their holdings. I can assure them, Sir, that it is a consideration which cannot be exaggerated. To the Irish tenant to leave his farm means not only distress and poverty, or, in some cases, emigration from a country he loves very much; its means the ruin and degradation of himself and his family, and it excites a feeling which we certainly should be the last to condemn—an intense dread of sinking in the social scale with his family, from the comparatively high caste of an occupier of land, no matter how small the amount, to the far lower condition of a day labourer, in a country where there is no considerable or varied demand for day labour; and where, therefore, the status of a day labourer is not what it is elsewhere, and what we should like to see it. You may consider these social conditions most unfortunate and most deplorable, but they exist, and they are the social facts under whose inexorable logic contract in land is not and cannot be free. These are the only conditions which could ever have justified Parliament in passing any such law as the Land Act, and if they justified you in passing that law to give protection to the tenant, they imperatively call on you to see that that protection is effectual. But can we say it is effectual, when we see tenants submitting constantly to the hardest terms, to the severest rents, rather than fall back on the protection of the Act? These are the facts which account for that phenomenon so strange when judged by ordinary economic rules, yet so often observed in Ireland, of men willing to give large sums for the mere possession, or good-will, as it is called, of land held under the severest terms, and screwed up to the extremes of rack-rent; and, on the other hand, of tenants submitting to almost any terms, and to rents which they know must keep them down to the level of pauperism, rather than relinquish their hold of the land without which life is not tolerable to them. It is in these facts, Sir, that we must seek for the standard and measure of the value which social conditions place on the occupation of land, and no compensation can ever give effectual protection if it falls entirely and far below that mark. Clearly, then, if this compensation is totally insufficient, and, therefore, inefficient, to give protection, you might as well never have passed the Act. But I go further—you had much better repeal it now, because not only does it permit, but, in its present form, it absolutely leads to, a violation of its own objects. It does so in this way. As was anticipated at the time of its passing, the Act has undoubtedly stirred up a spirit of resistance and irritation among many landlords; or, at all events, a desire, perhaps very natural, to protect themselves, as they call it, against the operation of the Act. How, then, does the tenant stand? To a certain extent he is worse off than he was; for while the compensation is too small to protect him against the old dangers, he has to contend with new dangers, which the Act itself has called into existence. One way in which many landlords are avowedly protecting themselves is by raising their rents; and that a more or less general and rapid raising of rents is going on, whatever the cause, I think none will dispute. Of course, I do not for a moment contend that this raising of rents is entirely due to this feeling on the part of the landlords. There are many economic changes going on which fairly account for it in many cases. But, I shall be asked, why should not the Irish landlord raise his rent if he pleases? Sir, my answer is very plain. The Irish tenant has never quarrelled with his obligation to pay rent; he has never quarrelled with the right of the landlord fairly and periodically to raise that rent; but what we contend—and it is the ground taken by the Act itself, and is now generally recognized in England—is, that in a great many cases the increased value of the land depends so much on the improvements made by the tenant, that you cannot raise the rent to the full value of the land without making the tenant pay rent for his own improvements, and, of course, depriving him of that enjoyment of them which I defined it to be one of the objects of the Act to secure to him. Now, as we have seen, the power of increasing rents rests entirely on the power of eviction. And if, as I have tried to show, the control over the latter is insufficient, clearly there is nothing, as far as the Land Act is concerned, to stand between the tenant and any increase of rent, however extreme. I may quote a few words from an authority, well known in this House, as to the power the landlord still has under the present law. Mr. Justice Barry, in his Charge on the Galtee case, speaking of those who bought property cheap with a view to make profit by raising the rents—and, of course, his statement applies equally to my argument—said—

> "Whether he gave one farthing or one million sterling for the estates his rights are the same, and whatever rent he thinks proper to insist upon he must get, or he can by law recover his land from the yearly tenants."

Thus, I contend, that the tenant may be, and in many cases is being, either summarily deprived, by a sudden raising of his rent, or slowly, but surely, being elbowed out, by repeated smaller raisings, of the property in his improvements which the Act intended to give him. The remedy for this, while remaining strictly within the spirit and terms of the Act, is clear—you must give power to the Chairman to award a higher scale of compensation in certain cases. I am fortified in this view by the opinion of several experienced lawyers and Chairmen of counties, with whom I have been in communication, verbally and by writing, on the subject. I hold in my hand a letter from one of the most experienced Land Judges, in which he tells me that though he was at first hostile to the Act, he has come by experience to recognize its great merits and value; and he says he is convinced that, with an extension of his power, under Clause 3, to grant a higher scale of compensation, he could settle satisfactorily, not only every case which now comes before him, but others which are never brought into Court at present, but which he knows to be occurring, and which are exciting and keeping up dissatisfaction and distrust, But there are other ways in which landlords and their tenants are defeating the intentions of the Act. One is, by forcing on tenants leases, often containing stringent and penal clauses, but the great hardship of which is, that they create a new tenancy, and, by law, place an estoppal on all claims for past improvements. I hold in my hand a specially harsh specimen of such agreements. It is a printed form for a lease for one year. I am sure English landlords would regard such an instrument with reprobation; for not only, as a new tenancy, does it bar all claims for past improvements, but it has been held by decision of the highest Court of Appeal, also, to bar claim for disturbance as a tenancy from year to year certain; but, further, being a lease, it makes the tenant liable to eviction, without notice, at the end of any year; it is, in effect, a renewal of the old practice of serving notice to quit every year as a matter of course, on tenants-at-will, in order to keep them in thorough subjection. Another ingenious plan is to induce tenants to consent to an increase of rent by a promise from the agent that he will not enforce the new rent, but will give receipt in full for it on payment of the old rent. This is, of course, a new tenancy, and places the tenant entirely in the power of the landlord. I know cases in which this has occurred, and is occurring. I mention these chiefly as illustrations of the spirit in which many landlords and their agents are acting, and trying to protect themselves against the Act. Strange encouragement, surely, to a sense of security and confidence! But I may be told—"Even if you have established that under the Act, as developed and tested by seven years' working, such violations of its intentions may, probably will, or even must, necessarily occur, we want to know, as practical men, whether in practice they actually do occur?" Sir, I have the greatest respect and admiration for the practical spirit of this House, and though I must say it is carrying that spirit rather far to insist on proof that what must necessarily occur does actually occur, still I am quite willing to meet the challenge. I do not propose, Sir, to trouble the House with further details of the important cases which have been already brought before it. The details of those cases are often very shocking and very telling, and they are naturally dwelt on, because, from their importance and notoriety, they have been thoroughly sifted in some public or official manner, and are, therefore, capital illustrations. I would rather, this evening, rest my argument on a number of small, obscure, but typical and widely-diffused cases of every-day hardship, showing a general tendency to defeat the intentions of the law. Here my difficulty is not want of cases; on the contrary, I have so many that I have tried to classify them according to different parts of Ireland. But there is this drawback—that in many of them I have only scanty, and, generally, one-sided information. And, although I only allude to those in which, either from my own knowledge, or the reliability of my correspondents, I can trust the accuracy of the information so far as it goes, still I feel too much the responsibility with which we speak in this House, and the respect which is due to the House, to make statements which, however true in themselves, being necessarily one-sided and *ex parte,* would suggest often very serious conclusions, which more complete information might qualify or explain away. But that, of course, is one reason for asking for an inquiry. Therefore, I am obliged to pick out such cases as may, by some accident, have been sifted in the Courts, or elsewhere; and this is a disadvantage, because it debars me from many, apparently, more telling cases; and it must be remembered that for one case which happens to get known, numbers are never heard of beyond the immediate neighbourhood in which they occur. At this advanced hour I shall not venture to trespass on the House with more than a very few short cases. One occurred recently in a Southern county—Clare, I think—on a small property of £50 rental, paid by five or six small tenants. The landlord, Mr. Westrop, being desirous to sell his property to the best advantage, had it valued by his agent, and the rent raised to £70, which was considered a fair increase, and at this rental it was sold. The purchaser immediately proceeded to raise the rents from £70 to £200 a-year; and not content with this, required these unfortunate tenants to make up among them a sum of £200, which he was to hold without interest, as a fund from which to recoup himself for any defalcations on the part of the tenants. Apparently, he thought it not unlikely such defalcations would occur. If so, he was not disappointed; for, as might be expected, the tenants were wholly unable to meet this heavy increase of rent, and soon got into the greatest difficulties. After a very short time the owner died, and the property devolved on his widow—the management, however, being in the hands of her brother—who found things in such a desperate state that he made an agreement with the tenants to reduce the rents from £200 to £150, and at this reduction to give them leases, having, first of all, liquidated the arrears of rent already accrued out of the £200 fund. The agreement had proceeded so far that the tenants had actually arranged to pay £3 each for the costs of their leases, when the widow, the owner of the property, repudiated the agreement, and ordered the rents to be raised again to £200. Again, the tenants got into difficulties and arrears, finally broke, and four families have been evicted, and are now seeking compensation from the Land Court. This, Sir, is a small case, hardly heard of out of the immediate neighbourhood; and yet, in harshness, I think, it rivals that so ably brought forward the other night by my hon. Friend the Member for Tipperary (Mr. Gray), and has done incalculable harm in its own small way. There is another case I would cite, as a specially good illustration of the difficulty of getting at the whole truth, and thoroughly to the bottom of these cases. In this case, though it occurred, and, I may say, is still occurring in the County Longford, and in a district with which I am thoroughly acquainted, I cannot state to the House a single detail except such as have come to our knowledge through the Law Courts. Sir, for many years a considerable property in the County Longford, called Doory Hall, belonging to an old family, has been the scene of agrarian troubles and disturbances of various kinds, culminating in outrage and murder. Some years ago a bailiff was shot dead on the property, and in 1876 occurred the affair of which I am going to speak. A Mr. Cusack, a Dublin solicitor, has for many years been agent of the property; his name, I believe, now appears in Domesday Book as owner; but I am not in a position to draw any inference from this. At all events, he still manages the property. In 1876, he was fired at and wounded in Dublin, outside his own house, in Stephen's Green. A man was arrested for the offence almost on the spot, and turned out to be a brother of one of the farmers on this Longford estate. He was brought to trial, and when I say he was defended by my hon. and learned Friend the Member for Limerick, the House will understand how ably that defence was conducted. It was, of course, the object of the defence to explain away any motive for the offence, and the prosecutor himself, I believe, stoutly maintained that whatever the motive might be, it could not possibly be agrarian; while all over the County Longford the reverse was notorious. The Crown, however, gave clear evidence that there was ample motive in a legal sense. I need not trouble the House with the evidence itself, but I should like to quote the words in which the Judge commented upon it; and when I say that the learned Judge who presided on that occasion was Mr. Justice Keogh, I am sure the House will give his words the weight they deserve. The Judge said—

> "As to the motive, James Keenan had very considerable grounds for dispute with Mr. Cusack. Independent of the two actions for trespass, there was an action brought for the recovery of a double or penal rent, and that action was carried out to the utmost extremity. Mr. Cusack obtained judgment, and levied, and was paid, and still had £73 6*s*. in his pocket, the tenant having really engaged to pay him exactly half the amount which he had at present in his pocket. Therefore, it was perfectly idle to say there was not a dispute and vindictiveness between that tenant and his landlord. His Lordship did not at all concur in the observation that was thrown out, that leases of this kind were of a common character in this country. He could positively say that in the whole course of his experience at the Bar and on the Bench he never saw one of them, and he had no wish ever to see one. He (Judge Keogh) must honestly admit that he opened his eyes when he heard of a double rent reserved in the lease, and not kept as a mere threat, but absolutely enforced and paid; and it was perfectly idle to tell common sense men that an Irish peasant having been compelled to pay twice the value of his land, that he did not leave Dublin on that 25th March with feelings that would be most improperly described as good feelings towards his landlord."

Well, Sir, the prisoner was acquitted and Mr. Cusack, under protection of police in Dublin, and of constabulary in Longford, continues to manage and receive the rents of this property on which we are told there is no agrarian disturbance; the property, however, continues to be a source of trouble in the country, and of anxiety to the magistrates and landlords of the neighbourhood. I see an hon. Friend of mine opposite who is a large and respected proprietor and resident in that immediate neighbourhood, and I think I may appeal to him to bear me out in what I have said. [Mr. KING-HARMAN: Hear, hear!] I believe my hon. Friend and I know a great deal more than I have stated about the case; but I do not wish to state more than has been actually proved in Court, or is matter of notoriety in the country. There is one other case I should like to quote, because it is very curious in its details, and because it illustrates well how irresponsible a landlord's power still may be. There is a property in County Cork, belonging to a Dublin gentleman; on which, among others, were two farms adjacent to each other, one occupied by an old woman who wished to retire from business, and, accordingly, she handed over her farm to a man, a stranger on the property, getting from him £500 for the good-will. It seems the landlord agreed to the transfer, but did not know of nor sanction the payment of the money. On going down to receive his rents, he was greatly startled to hear from the old woman's neighbour of the sum she had received, and to which he thought he was entitled. The farmer assured him that not only had the money been paid, but that the farm was well worth it, and that he himself would willingly have given that sum for it. "Then," said the landlord, "if you will give the money now, you shall have the farm." The bargain was struck and the money paid; the man who had given £500 evicted, and the farm handed over to the tenant, who thus became the occupier of both farms. The evicted man brought an action for compensation; he recovered a considerable sum for the disturbance; but did not recover the £500, as it had been paid without the landlord's consent or knowledge. Now comes the strangest part of the story. The landlord sent for the evicted man, and asked what he would give for the original farm of the man on whose account he had been evicted, and who now had got hold of the two farms. The answer was £500; again the bargain was struck, the money paid, the tenant with the two farms evicted from his original farm, which was given to the new man. Thus, in this strange comedy of exchange, the landlord succeeded in pocketing £1,000. Now, I do not mention this as a case of great hardship, for none of the parties come into Court with very clean hands; it probably was a case of diamond cut diamond; but it does illustrate how arbitrary a landlord can still be, and how well it may pay him to use his rights with the greatest severity in spite of the Act. But, with regard to the two other cases, representing, as they do, many obscure cases, never heard of out of their own immediate neighbourhood, the House can understand what intense feeling they excite; how each becomes a centre for doubt and distrust. The tenants in the neighbourhood, of course, feel when they see their neighbours so treated, that they owe their own safety not to the law which is powerless to protect others, but merely to the forbearance and kindness of their landlords. But the highest and best personal qualities are an uncertain foundation on which to raise a general sense of security and confidence, and none have better practical knowledge and experience of this than the Irish tenants. Therefore, Sir, I do ask most earnestly that the whole question in all it bearings may be inquired into. I doubt not some of the cases will be disproved. So much the better. I wish they all were, and could be shown to be baseless. I do not ask for inquiry to prove that I am right, but only to ascertain whether I am or not. I have no doubt the result of an inquiry will be to show exaggeration on both sides; but it will also prove clearly that if this Act is to be maintained, and if it is not to be a delusion and a snare, it must be amended, and amended in many and important particulars. Now, Sir, I do not want hon. Gentlemen to think that this Motion is brought forward in a crude and ill-considered way, or to suppose that, finding ourselves in difficulty, we come here in a helpless way to ask for a Commission of Inquiry to do something we know not what. On the contrary, the matter has been thoroughly thought out, and I am quite prepared to suggest solutions for many of the difficulties I have indicated, which a Commission might fairly be expected to consider, and, perhaps, to recommend to the House. At this late hour, however, I can only venture to touch briefly on this fresh but important branch of the subject. For instance, such an Amendment as the following might make the Act more effective in protecting the tenant against undue increase of rent, perhaps the most pressing problem with which we have to deal. The Act at present distinguishes two classes of eviction—the one, eviction under circumstances just and reasonable; the other it calls disturbance and imposes a penalty on it. I would constitute a third class, which I would call aggravated disturbance, and it would arise thus—When a tenant complains of a proposed raising of his rent as excessive, I would give the Chairman the power not merely as at present to declare the rent excessive, and award a low scale of compensation for eviction, consequent on its enforcement; but I would give him the further power, after going into all the circumstances of the case, to suggest to the landlord a fair rent, and if the landlord refused to accept it, and insisted on evicting in spite of the willingness of the tenant to pay it, to call this a case of aggravated disturbance, and to award a scale of compensation much higher than the present scale. I should like to illustrate this by figures, but it would delay me too long to do so now. This at once suggests another Amendment. The country people in Ireland, while generally admitting the fairness and impartiality of the Land Judges, complain of the very natural inexperience and ignorance of the details of agriculture and land of many of these Judges. In the Bill, as originally introduced, provision was made for the appointment of skilled assessors to advise the Court on these technical questions. I would propose to restore this provision, and appoint four assessors for the whole of Ireland, one to sit with each Chairman on the hearing of land cases. And in answer to those who tell us that it would be impossible to find men qualified for these duties, I can point to a precedent in an Act passed in 1851 to regulate the procedure in Ireland for taking lands compulsorily for railways. Under that Act, three valuators settle all the intricate questions arising in such proceedings, questions involving the most complicated valuations; and, although there have been appeals, the system generally has worked very well. There are, of course, other points on which amendments are urgently needed, and which a Commission would fully consider with all the light of recent experience, and with the fair prospect of making the Act more efficient. But, after all, Sir, this is no one-sided affair. We are not the only people who are asking for inquiry. Many Irish landlords, both in and out of the House, are as anxious as we are for it. I am permitted by the kindness of a friend to quote an interesting letter from one who is recognized and well known in this country as one of the fairest authorities on this question, whose letters to *The Times* hon. Members have no doubt often read with interest. I mean the Knight of Kerry, himself a most excellent and popular landlord, and whose only fault is, perhaps, in thinking every other landlord as good as himself. Here is what he says, writing a few days ago, and referring to opinions expressed two years ago—

> "I thought then, as I think now, that there is no class of men in the community who, under existing circumstances, are so interested as the landlords of Ireland in having such a thorough and sifting inquiry as will bring out into the fullest light of day all their dealings with their tenants under the Act or otherwise. If, as I believe most firmly, the charge that they are engaged in so exorbitantly raising their rents as to confiscate their tenants' improvements is absolutely fabulous, it is evident how intolerable it must be to those who believe, as I do, that such accusations should be made, unless an opportunity of bringing them to a test at the earliest possible moment be afforded. But if, on the contrary, I unhappily am mistaken, and those who on these subjects hold opinions the very reverse of mine are right, I hold that it is still more essential that there should be so searching an inquiry as will not only show that there are delinquents, but make it clear when, where, and to what extent, these delinquencies exist. I say, then, in all sincerity, that landlords having been thus accused, whether justly or unjustly, I hope we may have an inquiry, and of the most searching character that is possible; and I am glad to believe that nine out of every ten Irish landlords will cordially endorse every syllable I have here written."

I have further testimony, also important in its way, though from a very different source. Mr. Nathaniel Buckley, after the rejection of my hon. Friend the Member for Tipperary's Motion for Inquiry into the Galtee case, writes to *The Daily News* to defend himself, and uses these words—

"I have no objection to the discussion of the relationship between landlord and tenant in Ireland. It is a grave and important question, and is worthy of the consideration of all thinking men. An inquiry, honestly conducted, would probably dispel a number of delusive ideas, and a more healthy public opinion would be created."

But, Sir, in this House we have Irish landlords who support this demand. There is the hon. Gentleman the Member for Hereford (Mr. G. Clive), who for three or four successive Sessions has had a Notice on the Paper to move for an inquiry similar to this one, with the expectation of showing that our charges against landlords are groundless. Then there is the hon. Member for Kerry (Mr. H. A. Herbert), who last year, as an Amendment to the Motion of my hon. Friend the Member for Tralee (the O'Donoghue), was to have moved for a similar inquiry. This year, he finds the question is so pressing that he has actually introduced a Bill, which would carry out some of the reforms we advocate. I am sorry not to see these hon. Gentlemen in their places; I should certainly claim their support this evening. And, after all, I hope we have some common ground. We all desire, I am sure, to elicit the truth whatever it is—for whatever it is, it is, I am convinced, the only safe and honourable ground to go on. Surely, that is ground on which the Chief Secretary for Ireland need have no great reluctance to meet us? Indeed, I should regard his doing so this evening as a matter of course, only I am sorry to say we have so often had to admire the truly inscrutable ways of Irish Government, that I am prepared for anything rather than to see this question dealt with in a wise and statesmanlike way. But, Sir, finally, and apart from all our differences, there is one great result this inquiry would certainly have. Whichever way it went, it would, at all events, help to open the eyes of the honest, industrious, and sober-minded majority of the Irish tenants, and convince them that their case is not yet desperate. It would show them that they have in the Land Act a valuable concession, and—not less important—the precious assurance that England desires to do them justice; while this inquiry itself would be a further assurance that English justice is not intended to be a mere vain and empty phrase. Would that be a small and unimportant result? I believe you can effect it. I believe that by giving this inquiry you can go far to confer on Ireland this inestimable blessing; and if you do, it will take rank among the greatest which Parliament will ever have conferred on that country. In conclusion, I would say one word about the only argument which can, I think, be urged against me with any force. I shall be told we want to unsettle a recent settlement. That we shall foment and keep up an unhealthy agitation. I can imagine, if my hon. and learned Friend the Member for the University of Dublin, who always so gallantly comes forward as the champion of what I may call the high prerogative of the landlords, does me the honour to answer me this evening, with what plausibility and eloquence he will urge all this. But the argument, plausible as it is, may be carried too far. I attack the recent settlement because it is no real settlement, and in order to lead to a real settlement. It is not we who are exciting agitation. Agitation exists; and I am confident that, so far from increasing it, nothing would tend so much to allay it as such an inquiry as I ask for. Sir, of course it is a bad thing to do anything to foment and keep up unnecessary agitation; it is a bad thing to be always meddling with delicate questions, especially when they involve the rights of property and vested interests, which must be always sacred; it is a bad thing to excite hopes in ignorant and uneducated minds which you know you cannot and ought not to gratify. But there are worse things than these. It is a worse thing to have raised honest hopes, and then by delay and disappointment to drive those in whom you have raised them into foolish or useless extremes; it is a worse thing, having begun a great act of justice, having put your hand to the plough, to look back, discouraged, because entire success may not have awaited your first efforts, or dismayed by clamour; and it is a worse thing to give any colour to that pernicious fallacy—perhaps not unnaturally too prevalent in Ireland—that to this Imperial Parliament, to this great Inquest of the nation, it is vain to appeal, I will not say for redress, but even for consideration, even for inquiry into the troubles and difficulties of a long-suffering people. Sir, I have shown—first, what were the objects and intentions of the Act of 1870, and of those who passed it; secondly, I have tried to make a *primâ facie* case that those objects and intentions have not been adequately realized during seven years' practical working of the Act; thirdly, I have tried to convince the House that such an inquiry as I ask for would probably tend to a more adequate accomplishment of those objects, and that it would not be attended by any evil results; therefore it is that I now move the Resolution of which I have given Notice.

Motion made, and Question proposed,

"That an humble Address be presented to Her Majesty, praying that She will cause an Inquiry to be made as to how far the Irish Land Act, 1870, in its present form, really secures to the Irish tenant the benefits intended to be conferred on him by it; how far Clause 3 has operated to check capricious eviction; whether, notwithstanding the provisions of the Act, excessive rents confiscating the improvements declared by it to be the property of the tenant have been exacted; and whether any, and, if so, what steps should be taken, by amending the Act or otherwise, to render it more effective."—(*Mr. Errington.*)

Mr. KING-HARMAN, as an Irish landlord, admitted that there was some justification for the feeling of distrust which existed among certain portions of the Irish tenantry; and, as a landlord who wished to do his duty amongst his tenants, on the principle of "live and let live," he should not be disposed to object to the Resolution. While, on the one hand, it would be well to expose the dealings of those who brought discredit on their position as landlords and upon their name as Irishmen, on the other hand, the inquiry would have the effect of placing in their proper light the large body of Irish landlords who did their duty, and wished and intended to do their duty. The "Gombeen" men—those who lent money at usurious interest to the small tenants—were responsible for a great deal of the hardship which ensued. Beginning life in a small way—say as village shopkeepers or publicans—these men managed, by usury and other not very creditable means, to scrape a little money together and buy land, with the object of squeezing as much out of their unhappy tenants as possible, and yet their acts of oppression were generally alluded to as landlord cases. He believed an inquiry would clear the landlords, and might save the tenants.

Mr. HEYGATE congratulated the hon. Member for Longford (Mr. Errington) on the moderate character of his speech, which so favourably contrasted with the utterances they were accustomed to hear on the subject of Irish land. He (Mr. Heygate) believed that any discussion on this question must tend to clear the public mind of many misconceptions; and on that ground he was inclined *primâ facie* to vote for an inquiry; but, on the whole, he agreed with what had been said on a former occasion by the noble Lord the Leader of the Opposition, as to the unwisdom of entering into a "fishing" inquiry, without a sufficient justification, or the probability of being able to define the limits of such inquiry. No doubt, a few hard cases had been cited; but if, as the hon. Member stated, compensation was being sued for in one instance with every prospect of success, and if, in another, neither party came into Court with clean hands, and so on, those cases might be left to work out their own cure. It certainly did not appear to him that the hon. Member had made out a strong case for an alteration of the law; and as for a mere inquiry, it was open to this objection—that it would probably be misunderstood by the Irish people, and be accepted by them as a proof of the allegation of existing injustice, and as a prelude to further reforms. He objected to the words of the Motion referring to "excessive rents confiscating tenants' improvements," as altogether inapplicable to the case, and even as unsupported by the arguments of the hon. Gentleman. He admitted the temperate manner in which the hon. Gentleman had brought forward his Motion; but he altogether denied that he had made out any case, either for an alteration of the law, or for the fishing inquiry suggested by the Resolution. He was well acquainted with the relations of landlords and tenants in England and in Ireland, and he must confess he had hitherto failed to discover any warrant for the exceptional treatment of the Irish tenant which was so constantly asked for. There was no more untrue allegation than that which was constantly made, that all the improvements were due to the tenant. The circumstances of different estates varied in Ireland as much as they did in England; but it was no more the case in Ireland than it was here, that the tenant was the only person who made any improvement in the condition of the holdings. The prosperity of the agricultural class in Ireland had increased enormously during the last 20 or 30 years—indeed, ever since the time when Ireland recovered from the Famine it had been constantly increasing. Owing to the development of the railway system, and the facilities for transit, articles of produce fetched almost the same price in Ireland as they did in England; and inasmuch as nearly everything the tenant had to sell had increased vastly in value, the Irish landlord not unnaturally looked for some portion of the increased prosperity. There had, no doubt, been a rise in rents; but nothing like the increase which was justified by the enormous increase in the value of the products of the soil. He could not, he might add, see why Irishmen, if they found they could not get on in their own country, should not try their fortunes elsewhere, as was done by Englishmen and Scotchmen; and it seemed to him that what hon. Gentlemen opposite desired was to have the law so altered as that every Irish tenant and his sons might be enabled to live at home in the particular position in which they happened to have been brought up. The hon. Gentleman who had introduced the subject to the notice of the House had alluded to the expectations which had been formed of the Land Act when it was passed, and had observed that those expectations were not exaggerated. His own opinion was, however, that it was to the exaggerated nature of those expectations that the disappointment which was felt at the working of the Land Act was entirely due. The tenants then thought that the property in the soil of Ireland was about to be transferred to them, and that they were to have fixity of tenure. If that was to be so, it was well that the House should understand how the question really stood; for the freehold of property in Ireland could not be bought up, with the view of transforming the tenants into copyholders, without the outlay on the part of the State of a gigantic sum. For his own part, he failed to see what the Irish tenants had done to entitle them above the tenantry of all other countries to have exceptional privileges conferred upon them such as those proposed, which would end in making the landlord a mere rent-charger on his own estate. He, therefore, deprecated discussions such as that which had been raised that evening, although he should be very glad to see a real inquiry instituted into such cases as these which the hon. Gentleman had mentioned, if it could be limited in such a way as not to raise false expectations. He could not, however, think that any good, either to England or Ireland, could result from acceding to the Motion in its present shape.

SIR GEORGE CAMPBELL expressed his regret that the Motion should have assumed a somewhat aggressive form. He did not approve of the words in which the Motion was couched, because it implied that all the wrong was on one side. An inquiry ought to take place; but it should include both sides, in order to see how far this great Act, intended solely for the benefit of Ireland, did justice on the one hand to the tenant, and on the other to the landlord. If the Motion were so framed, he could not see how the Government could resist it, for this great and interesting experiment had been going on for 10 years. His own opinion was that it had worked more favourably than his hon. Friend who had introduced the subject seemed to suppose, and that it had been, on the whole, a successful experiment. He could have wished that the measure had been of a more radical character; but having regard to existing circumstances and vested rights, the experiment had probably gone as far as Parliament could have sanctioned at the time. The Act had been devised with great skill and ingenuity, and there was a testimony to its justice in the fact that both sides complained of it. But there were minor points of detail in which improvements might be made. He highly approved of the conciliatory tone which the Attorney General for Ireland had adopted in treating this question on a former occasion; but he was struck with the contrast between that and the tone of the Chief Secretary for Ireland, who resisted all inquiry and all concession in a style that gave him but little hope of a disposition on the part of the Government to do justice to Ireland on the subject. This difference in two Members of the Government was a sufficient argument, he thought, for the inquiry asked.

MAJOR NOLAN thought that one or two of the points mentioned by the hon. Member for South Leicestershire (Mr. Heygate) ought not to pass without comment. It had been said that Irishmen, if they were dissatisfied, might go to other parts of the world; but he knew, as he represented a very large body of Irishmen, how much they disliked enforced emigration, and it was no answer to their charges of injustice to tell them that they had a free field for emigration. No doubt, it was necessary for many of them to go to America; but they were loth to go, and certainly the state of the law ought not to compel them to do so. A Commission, which would complete its inquiry in a short time, would be very useful; but he should object to a protracted inquiry, and could not in such a case consent to keeping the agitation on the Land Question in a state of suspended animation. The hon. Member had asked why Irish tenants should be treated better than other tenants. To that he replied that no exceptional advantages were sought for them; but only that they should hold the soil, after honestly paying for it, as was possible in other countries. In that respect an example was furnished by Russia, who was always able to point to the happy condition of the tenants under her land system; so that, if the Irish peasants were well treated, their case would not be unique. He did not mean to say that every tenant in Ireland should have fixity of tenure, because there were many men holding large grazing farms who had no right to it; but when he saw the large mass of the Irish nation holding their farms on sufferance, he should be glad to fix them there by some measure which would prevent capricious raising of rent and capricious eviction. His view was that a Commission ought to inquire how that might be done without injury to the property of the landlords? Such a Commission might effect good reforms, such as had been suggested by the hon. Member for Longford (Mr. Errington), who had proposed that damages for eviction should be so high as to virtually involve fixity of tenure; but it could not be reasonably expected that the great mass of the tenantry should continue to live on sufferance, and rest quietly without indulgence in any form of constitutional agitation. So far from the question remaining dormant, it would be constantly pressed upon the House till it was settled; and while the landlord had more than his proper powers, and while fixity of tenure was denied, the tenants would always be on the side of agitation and change. But if the demands of the Irish tenants on this question were satisfied, the great mass of them would in the course of time become as highly Conservative as their ancestors were agitators and revolutionists. As things were, although the tenants were willing to pay a good price for the land, confiscation, the penal laws, and the system of entail had hitherto excluded them, and had made the purchases of property in Ireland all but impossible. It was not remarkable, therefore, that he should wish for the appointment of a Commission. He held that a Commission of Inquiry would explain in a satisfactory manner many points that wanted to be cleared up, and would open the eyes of many of the hon. Gentlemen who sat on the opposite side of the House. If the House would deal with this measure in a proper spirit, it would be the means of changing the present system in Ireland and put it on a sounder footing.

MR. SULLIVAN wished to call the attention of the House to the fact that the Motion before it was one for inquiry into the working of an Act passed some seven or eight years ago. What evidence, he asked, did they produce that there was a necessity for the amendment of that Act? He appealed to the Government to say whether from the passing of the Act of 1870, up to the present hour, there had not been a complaint in Ireland that the measure was in many radical features totally defective? The Irish tenants had been willing to co-operate with the fair-minded landlords in giving the Act of 1870 a full and fair trial; but never had the House been allowed to rest under any delusion as to what was the opinion of the tenantry of Ireland on that question. At the General Election of 1874, one of the questions put to the candidates in nearly all the rural constituencies of Ireland was this—"Will you vote for an amendment of the Land Act of 1870?" Two contradictory stories were brought forward against the advocates of a change in that measure in the House. The first was, that they were agitators who created that demand on the part of the Irish tenancy; and the next was, that they were the creatures of the agitation on that subject, that they made that demand because there was an agitation behind them in Ireland, and because they wished to make their seats secure at the next Election. Those two assertions refuted one another, and could not stand together. The real fact was that in Ireland there was a genuine belief that the Act of 1870 had utterly failed in many respects to carry out the intentions of its promoters. Since that measure became law, Bills dealing with the Land Question had been proposed by Members on both sides of the House. How were they to ascertain what there was faulty in their existing legislation, and where the remedy for it lay, except by inquiry? When serious complaints were made against the English Factory Acts, they instituted an inquiry into them by a Parliamentary Committee, or by a Commission. Why should not a similar course be adopted in regard to the Irish Land Act? When the hon. and learned Member for Limerick (Mr. Butt) brought in a Bill to benefit the tenantry of Ireland, the House voted it down, and would not listen to the proposal. When another hon. Member introduced a Bill of a much more moderate character, it was also voted down by the force of the majority. The House was asked that night by hon. Gentlemen on both sides to grant an inquiry into what might be necessary to be done, and then to do it. If they resisted that simple demand, must not the tenantry of Ireland fairly conclude that they refused to inquire into the justice of their complaints? The object of this Motion was to institute an inquiry not into the nature of the tenants' demands, but into the partial success, or partial failure, of the Land Act of 1870. He deprecated the carrying of this debate into any other direction than that. English land tenure was an exceptional tenure in Europe, and the traditional land tenure in Irish minds was the most prevalent land tenure in Europe. It was by the exceptional development of manufacturing industry that England herself had been saved from a great explosion on this subject. He had been a tenant-right agitator in his own humble way. He had stood on many tenant-right platforms in Ireland. He never heard put forward in Ireland, on any tenant-right platform, a single demand that did not cordially recognize not only all the existing rights of the landlord, but his fair share in the increase in the value of land. Go into the Landed Estates Court to-morrow, and see whether the capitalized sum representing landed property in Ireland was less than it was before 1870. That was the test. Tried by that test, all the prophecies of evil, all the frightful bugbears that were raised to terrify English landlords in the debates of 1869 and 1870 had been scattered, and proof had been established in the Landed Estates Court that the Land Act of 1870 had raised the value of land for the benefit of the landlords of Ireland. He wished the House to consider, not the conduct of Irish landlords, not the conduct of Irish tenants; but whether they would do to and in Ireland, as they did to and in England, when they wished to ascertain whether a grand experiment of political or social legislation had or had not answered its purpose?

MR. A. MOORE said, he thought they should all feel much indebted to his hon. Friend for the admirable manner in which he had brought forward his Motion. It was quite evident that the Land Laws as they stood at present were not in a satisfactory state. They had abundant evidence to show that wanton, harsh, and capricious evictions were still possible—nay, actually occurred; and that the checks devised by the Land Act were wholly inefficient. There was nothing to prevent a landlord from demanding an exorbitant rent and evicting his tenant summarily for non-payment, though he might have spent years of toil and the earnings of a lifetime in bringing his land to its present condition. He followed his hon. Friend in thinking it was time to enforce practically, and beyond all question, the two great objects of the Land Act, which were still evaded. These two objects were—to guard against capricious eviction, and to protect the improvements of the tenants. Neither of these objects could be firmly secured until some satisfactory means were discovered of arranging rent. He himself had introduced a Bill to provide for the settlement of rent by arbitration, and to restrain cases of capricious or harsh eviction summarily, and he held that it was in some such way as this they might most successfully approach the Land Question. He would prefer half a measure now, than a whole one when the people had fled the land, and there was no longer anyone to evict. Such a measure as this could, he believed, be opposed by no well-meaning landlord anxious for the welfare of his country. What they asked for now was inquiry. It was too late in the Session to hope to pass any measure into law, but they thought inquiry the next best thing to legislation. Even Mr. Buckley wished for a just and impartial inquiry, and said in a letter that his rentals would compare favourably, as far as the interests of the tenants were concerned, with either his (Mr. Moore's) or any of his neighbours'. He accepted Mr. Buckley's challenge, fearless as to the result, and therefore supported the Motion of his hon. Friend the Member for Longford.

Mr. BRUEN said, that as he knew the accusations were groundless with reference to the owners of Irish land as a body, he would not fear as an Irish owner of land to face any inquiry that could be held by the House into their conduct, provided that inquiry was conducted in an impartial manner. But he felt that he stood there not merely as an owner of land, but as a Member of the Imperial Parliament, and that he was bound to consider the question not merely in the interests of owners of land, but also in the interests of the whole country. Viewing the matter in that light, he asked what would be the object of the inquiry, and what would be the result? It was manifest, from the speech of the hon. and gallant Member for Galway (Major Nolan), what the objects of the inquiry would be; and he must say, considering those objects, that he did not see the chance of any good resulting from the inquiry. The hon. and gallant Gentleman had stated, what had been endorsed by the hon. and learned Member for Louth, that what was wanted was fixity of tenure and fixity of rent.

Mr. SULLIVAN said, he had disclaimed the idea of fixity of rent.

Mr. BRUEN: At all events, the landlord should not fix the rent. That notion was very far removed from the idea which the House had of what belonged to the ownership of land. It had been said that the landlords of Ireland stood up for high prerogative. They had never done so. What they asked for was the rights given them at Common Law, and that what was held to be the property of landlords throughout the Kingdom should be theirs. When he looked at the different position taken up by those who advocated this inquiry, he could not think there was room for a settlement of the claims of the two parties concerned. The hope he had entertained of such a settlement had been entirely dispelled by the speeches he had heard from hon. Gentlemen opposite. The proposal before the House must be looked upon as a continuation of the agitation which had been carried on for some years for depriving the landlords of Ireland of the possession of their land. The broad question for the House to consider was whether they would take a step in that direction by the appointment of the Commission asked for. As a landowner, he might shut his eyes to the danger, and say—"Let us have an inquiry," conscious that the landlords of Ireland had nothing to be ashamed of. He could not think that a few instances of oppression, even if *bonâ fide,* could justify the accusation brought against the landowners of Ireland. Feeling that this inquiry would not tend in the direction of peace, he must oppose it.

Mr. O'SHAUGHNESSY said, he had heard with pleasure, in the course of the debate, a suggestion of compromise in regard to the Irish Land Question from an Irish Member sitting on the Conservative side of the House. He hoped that, in the course of the discussion which must follow, it would be found that the spirit of compromise and conciliation had largely spread among those who opposed the Irish Land Bill before it became an Act of Parliament. The supporters of the Motion before the House undoubtedly wished to prevent the landlords in Ireland from changing the rents of their tenants-at-will; but they only desired to do this within certain limits which they thought reasonable, and which they believed would not interfere with freedom of contract between landlords and tenants. The object of the Land Act was to prevent landlords raising their rents beyond reasonable limits, and all that was now wanted was to carry out that principle in its entirety. It was part and parcel of the law of the land, and he did not think it reasonable to describe as revolutionary the speeches of his hon. Friends the Members for Galway and Louth, who asked that the letter of the law should be observed. The Land Act of 1870 laid down lines on which justice might be done alike to the landlords and tenants; and he thought his hon. Friend the Member for Longford had done wisely in so framing his proposal as that its only effect could be to widen and lengthen those lines.

MR. M'CARTHY DOWNING said, he was somewhat disappointed with the speech of the hon. Member for Carlow (Mr. Bruen); because, although he and his Colleague had the reputation of being among the best landlords in the country, he should have thought the hon. Member would have supported a Motion which would have the effect of restraining somewhat the power of landlords who were not disposed to act with equal fairness. The only intention of his hon. Friend who had brought forward this Motion was to prevent capricious evictions, and to put an end to the notices to quit which fell like snowflakes upon the people of Ireland. The Attorney General for Ireland had challenged hon. Members from Ireland to move for an inquiry into the working of the Land Act. Now that they did so, would the right hon. and learned Gentleman venture to oppose them? The case for an inquiry appeared to him unanswerable, because in three years before the passing of the Land Act, there had been in Ireland 4,253 ejectments at one sessions against tenants; while in the three years after the passing of the Act, there had been 5,641, showing an increase of 50 per cent after the Land Bill had passed, though the Act was passed to prevent that very thing. Such a fact rendered an inquiry necessary. There would be an opportunity, by granting this inquiry, of having this question settled by enabling the House to decide whether the Act of 1870 had failed or not. He thought, however, the Motion would be improved by the omission of all the words after "capricious evictions," and he begged to move an Amendment to that effect.

Amendment proposed, to leave out from the words "by it" to the end of the Question.—(*Mr. M'Carthy Downing.*)

Question proposed, "That the words proposed to be left out stand part of the Question."

LORD RANDOLPH CHURCHILL said, he thought the debate had wandered very much from the point at issue, and he did not see what the question of the Land Laws of France, or any other country, had to do with the matter. He wished to support the Resolution in its amended form, as proposed by his hon. and learned Friend the Member for Cork (Mr. M'Carthy Downing), which he thought was an exceptionally harmless one. In the first place, the Land Act of 1870 was in a sense the most revolutionary Act ever passed in this generation, for it dealt with all the conceivable notions as to the rights of property in a most extraordinary manner. He, however, did not pretend to pronounce an opinion as to whether it was a good or a bad revolution. It was most interesting to know how it worked; and therefore he thought it would be a good thing to have a Commission or Committee, which would command the confidence of both landlords and tenants, to see how it had worked. The Land Act of 1870 professed to be a settlement of the Land Question; but, as a matter of fact, it was notorious that it was not so. The Land Question in Ireland occupied, at the present moment, a very prominent position; and, although the agitation on the question had not that ferocious aspect it formerly presented, still the proportions of it were as great now as ever they were. He did not believe any hon. Member would venture to deny that, and he asked if anyone could get up in his place and say that tenant-right did not now turn Elections in the North of Ireland? Then, there was another reason why a Committee should be appointed. The Government the Session before last granted an inquiry into the Bright Clauses of the Land Act, and the result of that Committee was, that the Bright Clauses were found to be practically inoperative; and yet those clauses were said to be the most important part of the Act. It would be, therefore, fair to assume by analogy, that some other parts of the Act were inoperative, and it would be well to inquire into the whole matter. Believing, as he did, that the Resolution was in accordance with the views, not only of the Irish tenants, but of Irish landlords, as represented by several hon. Members, he should not feel justified, as an English Member, in refusing his support.

Mr. J. LOWTHER said, that his noble Friend who had just spoken had given utterance to a sentiment in which he entirely concurred. The noble Lord described the Land Act of 1870 as a revolutionary measure, though he declined, with commendable caution, to give any opinion as to whether the measure was a good one or a bad one. He (Mr. J. Lowther), however, should not attempt to keep any veil over his opinions, and he had never felt it consistent with his duty to simulate any veneration for that Act, or to conceal the fact that neither he or his Colleagues were in any way responsible for that Act of Parliament. Reference had been made by the hon. Member who introduced this Motion, to the fact that he (Mr. J. Lowther) did not take any part in introducing that Act, and that he had formed one of those who had felt it to be their duty to protest against the second reading of the Bill. He had never regretted having taken that course; and, if the same circumstances arose again, he should do the same. He could assure the hon. Gentleman who introduced this Motion, in such courteous and considerate terms, that he did not shrink from any vote he had given on the Land Question; and he would not change any vote he had ever given, even if an opportunity was afforded him for so doing. He did not consider, as some hon. Members appeared to do, that it was the duty of an official to immediately recant the opinions he had entertained previous to taking Office, and to speak with bated breath, or, in a species of official jargon, to express great veneration and regard for the actions of his Predecessors; but having fully repudiated all responsibility for, and sympathy with, the Act of 1870, he wished to observe that it by no means followed that he was not as anxious to preserve that Act in its integrity as, indeed, any hon. Member in the House. He would mention one reason why the Act should not be removed from the Statute Book, and it was one which commended itself especially to his mind. It was, that under this Act had grown up vested interests which he felt himself bound to regard; and the vested interests of tenant-farmers should be as much an object of solicitude to Conservatives as the vested interests of anyone else. The Act of 1870 having passed both Houses of Parliament, and received the Royal Assent, he could not make himself a party to any scheme for depriving any person of any vested interest acquired under that Statute, whatever his opinion of it might be. The hon. Gentleman who introduced the Motion gave what professed to be instances calculated to induce the House to re-open the Land Question in Ireland. Several hon. Gentlemen had spoken as if this inquiry could be held without opening any great question, and the hon. and gallant Member for Galway (Major Nolan) had said he could not have his hands tied in the matter during the sitting of any Commission; but would hold himself at liberty to ignore its very existence, and to proceed with Bills and Motions all the same. The hon. and gallant Gentleman had given some instances which, to his mind, justified an inquiry; but with regard to these instances, the hon. Gentleman was so studiously vague that it would be impossible to follow up the clues he gave. But the House had been told that there were several instances of grievous wrong, and three in particular, in one of which the estate in question turned out to be only 50 acres in extent. [Major Nolan: I said the rental was £50.] He was obliged for this correction, which showed that he (Mr. J. Lowther) had understated his case against the view of the hon. and gallant Gentleman, and that the estate in question was probably of even smaller extent that he had supposed. The hon. and gallant Gentleman next gave a case in his own county with which he was, no doubt, well acquainted; but which he (Mr. J. Lowther) did not think it necessary to follow up, as it failed in any way to prove his case. The next case with which the hon. and gallant Member dealt was one which had already formed the subject of debate in that House—namely, that of the Galtee estates. He (Mr. J. Lowther) had said on a recent occasion that the House ought to regard with considerable leniency any shortcomings on the part of those who had been, as it were, pitchforked into the position of landowners without being fitted for the position by previous education.

In his (Mr. J. Lowther's) opinion, Mr. Buckley was not in any way deserving of the censure that had been passed upon him by several hon. Gentlemen. They had omitted to consider his conduct with that leniency which the case deserved. He ventured to think that the case of Mr. Buckley was not well chosen by the hon. and gallant Member, because Mr. Buckley—whom he believed to be a most ill-used person—was an instance of the carpet-bag element. Mr. Buckley took possession of the land which he bought in the open market, and endeavoured to utilize it in much the same way as he would have done with railway shares or foreign stocks, or property of any other kind. That gentleman was, he thought, an instance of what was to be expected if land were as easily disposable as many of the English political friends of the hon. and gallant Gentleman seemed to think desirable. Mr. Buckley had been unfairly singled out for a great amount of unnecessary criticism, in his opinion; although he was far from saying that the class of proprietors of land, of which he was a type, were the best that could be provided for Ireland. He was not disposed himself to believe very much in Free Trade in anything; but he thought to enable land to be hawked and handed about, with a mere regard to its market value, would be a very bad state of affairs to introduce into any country. Those hon. Gentlemen, who appeared to have so great a regard for the means of an easy acquisition of land, would do well to reflect upon this fact—that it was not the old proprietors of land in Ireland who had given the cause of offence which had been so readily taken hold of; but, in almost every instance, it was the gentlemen from a distance—the examples of Free Trade in land—who had brought discredit, if such had been brought, upon the class of landlords in Ireland. That should be a warning to those gentlemen who advocated the removal of reasonable and just impediments to a promiscuous transfer of land. The hon. and gallant Member had spoken of fixity of tenure, and appeared to think that, though it was not very desirable in the case of large holdings, it was in the case of small farms.

MAJOR NOLAN said, that what he stated was, that he might forego it in the case of large grass farms.

MR. J. LOWTHER observed, that he was not for the moment describing the state of cultivation in which the farms might be, but only that he understood the hon. and gallant Member to wish to exempt large farms from the operation of fixity of tenure, and to make it apply to small holdings only. With regard to the small holder, as he had before said, he was not prepared to advocate any violent disturbance with the existing state of affairs; but he was at a loss to understand why hon. Gentlemen should come down to that House night after night, and describe a state of things which they believed to exist amongst the tenant-farmers of Ireland—a state of affairs which certainly would reduce the so-called farmers to beggary—and suggest the remedy they did for it. What was the remedy suggested by them? He was not referring to any past debate in particular, but to the general tenour of the discussions in the House, to the effect that the occupying classes in Ireland were in a state of almost penury. A description had been given not long ago in which the tenants were said to be entirely dependent for their daily bread upon the produce of the soil; which, through a bad season or other causes, might not be available at the moment. The House was told that they had no other source of livelihood, and that their farms were not sufficient to enable them to live comfortably. It was naturally to be expected that hon. Gentlemen would ask Parliament for some remedy for that state of affairs — some remedy which would hold out a prospect of terminating it. It had always been said by economists that the great object of legislation with regard to land was to increase its capacity for producing food for the people. Bearing that in mind, it was naturally to be expected that legislation would have been demanded, with a view to the consolidation of farms, and the conversion of the small occupiers who, as such, were unable to exist, into daily labourers, or else to hold out to them a prosperous career in other climes. The remedy proposed was of an exactly opposite character; it was simply to rivet the occupying tenants to the soil, and perpetuate a state of affairs which their advocates described as productive of misery to themselves and the country. A more illogical deduction than that he never heard. These hon. Members — presuming that after reflection they still entertained these opinions—were bound to come down to the House and propose some scheme, or suggest some remedy, for those evils of which they complained. But by asking the House to establish fixity of tenure, the evils of which they complained would be stereotyped instead of removed. As hon. Gentlemen opposite—who had, no doubt, often argued the case over to themselves—must know, what was required was some means, without violence and without injustice, and, if possible, with the consent of all concerned, of consolidating farms and removing a vast number of superfluous fences and tumble-down buildings, and erecting substantial holdings. No one would wish to secure such a result without being sure that scrupulous justice was meted out to all concerned, and that the feelings, and even the prejudices, of the persons interested were in every way regarded. That was the sort of Utopia which they might picture in Ireland. It had been said that there were no means of livelihood open to the tenant-farmer in Ireland if he ceased to occupy land; that there was no such thing as daily labour in Ireland. If that were the case, he much regretted it; but he knew that so consistently was that dinned into the ears of the tenants, that there was great difficulty in inducing any person who had once been an occupier of land, however small its area, to partake in what was called by some in this country the dignity of labour. It appeared to him that some hon. Gentlemen opposite would encourage tenant-farmers in Ireland to think labour a degradation. But to say that a man who was in the condition in which the bulk of the tenantry on the Galtee estate were situated—that of almost starvation —would degrade himself by earning £1 per week, he could not understand. The Amendment which was proposed by his noble Friend the Member for Woodstock (Lord Randolph Churchill) in no way affected his opinion of this Motion. The noble Lord the Member for Woodstock had said that if the words which the hon. and learned Member for Cork (Mr. M'Carthy Downing) suggested should be eliminated, were omitted from the Motion, it would express an opinion which would be accepted by the House. But he (Mr. J. Lowther) failed to see how the omission of those words would affect the Motion. The main objection to the Motion was that it would encourage, in the minds of the tenantry of Ireland, the notion that fresh legislation was intended. It would carry on that mischievous agitation which it was the ostensible object of the Irish Land Act finally to quell. They were not favoured that night with the presence and assistance of the hon. and right hon. Gentlemen who could be held responsible for that Act. But in the absence of its legitimate defenders, he must ask the House not to re-open an agitation which could not fail to be most prejudicial to Ireland.

Mr. BUTT said, that in the very short time which he intended to occupy the House, he should confine himself entirely to the Resolution. Perhaps he might depart from that one moment, while he ventured to corroborate and explain, as a matter of which he had professional knowledge, a statement made by the hon. Member for Longford (Mr. Errington). It was a fact proved beyond all doubt in a Court of Justice, that the landlord who had been referred to by the hon. Member for Sligo (Mr. King-Harman) let his farms in this way. He let them at double the rent he intended to ask; but gave notice that if rent were paid on the gale-day, he would accept half. That did not remain a dead letter, for every tenant was in the power of his landlord who did not pay on the day named, and every tenant in the power of his landlord on that estate—and it was a large one—was charged double rent; and it was proved that if any dispute arose, or the tenant quarrelled with his landlord about another matter, he was sued, and double rent exacted from him. The learned Judge who tried the case commented very strongly on such conduct, and said that he had never seen such a covenant in an Irish lease. He (Mr. Butt) had seen such a covenant in many Irish leases, though it was not intended to be enforced, but only to keep tenants under the power of their landlords. He did not complain of the boldness and frankness with which the right hon. Gentleman the Chief Secretary to the Lord Lieutenant had stated his opinions; but he did expect him to follow them up by saying, as he did say, that the rights which had grown up under the Land Act were entitled to the same solemn respect as any others by law established. Upon that ground it was that he thought the right hon. Gentleman was logically bound to vote for the present Motion. Let him ask the right hon. Gentleman what was the dispute between them? No one could deny that the Act gave to the tenant the improvements formed by his own industry. In 1852, when the late Lord Derby was Prime Minister, he introduced a measure in which was recognized the property of the tenant in all improvements of the soil. He regretted that Lord Derby was prevented from giving the Irish the benefit of that Act; but, nevertheless, the property of the tenant in his improvements was then solemnly recognized. After a lapse of 18 years the principle was sanctioned by law. The allegation now brought forward was that that property was interfered with by the landlord increasing the rent arbitrarily, and that in the same ratio as the value of the soil was increased by the labour of the tenant. If he did not describe that as robbery, he must call it a violation of the rights of property as given by law to the tenant. Their allegation was that that occurred every day in Ireland. If the right hon. Gentleman was really persuaded that these were vested rights, why did he not join them in asking for this inquiry? The case of the Galtee estates had not been brought before the House to parade the miserable condition of the tenantry thereon; but to show that tenants who had created the whole value of their farms had been deprived of the results of their labour. When the tenants had expended a large amount of money their rent was raised, notwithstanding the increased value of the holding being entirely due to the tenants' expenditure. How Mr. Buckley had acted was immaterial, except to prove that, under the existing law, he was able to charge the tenant for improvements to the soil, which never would have existed but for the tenant's expenditure. Was not that a violation of the vested rights secured by the Land Act? Yet tenants were bound to submit, because the provisions of the Land Act were not sufficient to protect them. Some time ago, when he was taking a more active part on public questions than at present, Mr. Edward O'Brien had clearly shown, in a letter addressed to him, that the weak point of the Act was that landlords, by asking for small increases of rent from time to time, were able virtually to rob their tenants. Of that he had himself seen ample proof. The landlord would raise the rent 2*s.* 6*d.* an-acre — for that the tenant could not go to law and obtain compensation, and so it went on. Lord Carlingford, in reply to Mr. O'Brien, admitted that that evil existed; but thought it was not of so extensive a character as Mr. O'Brien supposed. The House had some reason to complain; and for his part he regretted that some of the hon. Gentlemen, who shared with Lord Carlingford the responsibility of the Land Act, were not in their places that night listening to the complaint of the Irish people, that their rights were not sufficiently protected by that Act. This had nothing do do with the question of fixity of tenure, or with any of the wild expressions of opinion that might have been uttered. All that was asked for was that the House should consider whether an Act passed for the purpose of protecting tenants against the evils which previously existed under the system of landholding in Ireland had, or had not, succeeded in effecting its object? and this, he thought, a perfectly fair demand to be made. Did those who opposed the Motion of his hon. Friend wish him to repeat the history of the merciless evictions of tenants which had made the name of an Irish landlord a by-word in Europe; or to recall the words in which the practice to which he was referring—and under the operation of which evicted tenants had died in the ditches—had been denounced in the public Press, from *The Times* downwards. He could not but think it strange that there should be any objection in the minds of the present Government to appoint a Commission, nominated by themselves, for the purpose of inquiring into the working of an Act passed by their Predecessors in Office, in despite of their own strenuous opposition. Furthermore, he could see no reason why any other than the class of bad landlords could object to the proposed inquiry. If the inquiry was made, it would redound to the credit of the good landlords, and would also induce in the minds of the Irish people that they might look to the House of Commons for justice—so turning them from the wild counsels which were constantly offered to, and sometimes accepted by, them. He would suggest, in order to carry out the views which he held, that the proposed Amendment of his hon. Friend the Member for Cork (Mr. Downing) should be slightly modified, and that there should be omitted from the Resolution all the words after the words "upon him by it." This would confine the matter to a simple inquiry without committing the House to any expression of opinion whatever. The House would not refuse an inquiry if it was shown to them that under an existing law certain tenants had the power to filch away the rights, or any part of the rights of the landlords; was it not equally just and reasonable for the tenants to ask an inquiry as to the truth of their allegation, that the landlords were filching away from them rights which had been vested in them by an Act of Parliament? He asked the House to act upon the principle laid down by the right hon. Gentleman the Chief Secretary to the Lord Lieutenant, that the rights of the tenants were entitled to respect equally with those of the landlords.

Mr. COGAN wished briefly to state the grounds on which he intended to vote for the Motion. Many speakers on the opposite side had confined themselves to answering the speeches of the hon. and gallant Member for Galway (Major Nolan) and the hon. and learned Member for Louth (Mr. Sullivan), instead of addressing themselves to the real question before the House, which had been brought forward in a speech of great ability and moderation. He saw nothing in the Motion to raise the question of fixity of tenure or valuation of rents; because neither of those benefits were proposed to be conferred upon tenants by the Irish Land Bill, which afterwards became an Act of Parliament. He had heard with regret the speech of the hon. Member for Carlow (Mr. Bruen); because his opinions on questions of this kind were, as a rule, entitled to great weight by reason of his high character, and the fact that he was well-known to be a good landlord. It was as much in the interest of the landlords—and particularly of landlords like the hon. Gentleman—as of the tenants, that this inquiry should take place, and he was therefore surprised to hear his hon. Friend shrinking from it. A fair inquiry would, in his opinion, show that the Irish Land Act had conferred great and inestimable benefits upon the Irish people; but that it was capable of improvement in many of its details, alike in the interest of the landlord and the tenant class. He thought an inquiry, such as was proposed, would put down agitation on the Land Question, and that the Government, by refusing to grant such inquiry, would be responsible for any agitation that might arise hereafter.

Mr. BROGDEN said, he should not have taken any part in the debate, but for the fact that he stood in a somewhat peculiar position in reference to the Galtee estate, which had been mentioned in the course of the debate. He was for many years part-owner with Mr. Buckley of the property, and he could say positively that during that time the tenants were as happy and prosperous as any tenants in Ireland. He did not mean to say that he would defend everything that Mr. Buckley had done, because many men of high principle had been driven into obstinate and possibly mistaken courses by attacks upon them which no reason could justify; but he was sure Mr. Buckley would support an inquiry such as was asked, because he believed it would tend to the pacification of the tenants and the consequent good of the whole country. If the inquiry was granted, he felt sure that Mr. Buckley would be happy to afford all the information in his power with regard to his own estate; and he also felt equally sure that while the Land Act had proved advantageous to the tenants, it could be shown that in several points of detail it was capable of improvement. It was a pity that the real short-comings of the Act had not been allowed to be considered on their own merits, but had been mixed up with a great deal of personal matter which had, to a great extent, obscured the judgment of those by whom the matter was considered. In conclusion, he could not help expressing a hope that on reflection the Chief Secretary for Ireland would think he had used too strong language in describing Mr. Buckley as a carpet-bagger, who was pitch-forked into the position of a landlord without previous experience.

Mr. ERRINGTON said, he was willing to accept the Amendment of his hon. and learned Friend the Member for Cork (Mr. M'Carthy Downing), with the modifications suggested by his hon. and learned Friend the Member for Limerick (Mr. Butt).

Question put, and *negatived.*

Main Question, as amended, put.

The House *divided :* — Ayes 67; Noes 134: Majority 67. — (Div. List, No. 202.)

ORDERS OF THE DAY.

HIGHWAYS (*re-committed*) BILL.

(*Mr. Sclater-Booth, Mr. Salt.*)

[BILL 214.] COMMITTEE.

Bill *considered* in Committee.

(In the Committee.)

MR. KNOWLES moved, in page 4, after Clause 10, to insert the following Clauses :—

> "So much of section one hundred and forty-nine of 'The Public Health Act, 1875,' as enacts that all streets being or which at any time may become highways repairable by the inhabitants at large within any urban district shall vest in and be under the control of the urban authority shall be and the same is hereby repealed; and, in lieu of being so vested, the urban authority shall have and be entitled to an easement only over such streets, and, in virtue of such easement, such streets, and the pavements, stones, and other materials thereof, and all buildings, implements, and other things provided for the purposes thereof shall be under the control and management of the urban authority, with full power for such urban authority from time to time to cause all such streets to be levelled, paved, metalled, flagged, channelled, altered, and repaired as occasion shall require, and to cause the soil of such street to be raised, lowered, or altered as they may think fit, and to place and keep in repair fences and posts for the safety of foot passengers, and to protect such streets against trespass or damage.
>
> "The soil and freehold of such streets, and the mines of coal, iron, stone, slate, and other minerals thereunder, shall be and remain the property of the person who would have been entitled thereto if the said Public Health Act 1875, had not been passed, with all such powers of working, getting, and carrying away the same, and the produce thereof, as he would have had if such Act had not been passed."

MR. SCLATER-BOOTH admitted the importance of the question raised by the clause which had been proposed by the hon. Member for Wigan (Mr. Knowles). A recent decision in the Courts of Law had caused some anxiety among the mineowners on the subject to which the clause referred. So far as he had been able to get advice on the question, that decision was not one on which he could ask the House entirely to rely. If it were altogether a reliable decision, it would undoubtedly have been his duty to propose an Amendment of the Public Health Act. His hon. Friend's clause was, in point of fact, an Amendment of that Act. Its object was to make the law clear on this point, that the vesting of roads in the hands of the urban sanitary authority should be a vesting for certain purposes—namely, for the repair and management of the streets, and for securing to the rightful owners the soil and freehold underneath such streets, and especially providing that the soil should carry with it the right of minerals beneath the surface, besides other purposes. For his own part, he could not see his way to a clear view of the subject; and, therefore, was not prepared to accept the clause. If his hon. Friend would consent to withdraw it, he would promise either to introduce an Amendment into the Bill on Report, or bring in a measure to amend the Public Health Act, so as to protect the rights of minerals in urban districts. This law as to the soil of roads had been in force since 1848, and until the recent decision to which his hon. Friend had referred, did not appear to require amendment.

MR. KNOWLES said, he would willingly withdraw the clause, after the explanation which had been given by his right hon. Friend. The recent decision had, he believed, been obtained on the Public Health Act of 1875; but, in his opinion, that Act never contemplated the confiscation of minerals from the present owners, though there seemed to be some doubt upon the point. He hoped, however, that the right hon. Gentleman would be able to frame such words as would meet the case. He, accordingly, withdrew the clause.

Clause, by leave, *withdrawn.*

MR. J. R. YORKE, in moving the following Clause :—

> "Any county authority may, for the purpose of providing a county road fund, apply to the Local Government Board for a Provisional Order empowering them to levy tolls on any main road within their jurisdiction; and the Local Government Board shall thereupon cause a local

> nquiry to be made by one of their inspectors, who shall report to the said Board, and the said Board may issue such Order, prescribing therein the amount of tolls to be levied, the situation of the toll-gates, and generally the terms and conditions under which such tolls are to be levied and collected,"

said, in previous Bills on this subject, there had always been inserted clauses similar to the one he now submitted to the consideration of the Committee. There was a power given in the Bill of 1876, with reference to turnpikes actually in existence. In the County Boards Bill, introduced in the present Session, there had been no power of retaining tolls inserted in any of its provisions; but there had been the power of re-imposition in certain cases; but so jealously was it guarded by all kinds of restrictions, notably by one requiring the county authorities to satisfy themselves that the traffic of the towns would not be prejudicially affected by the tolls, that it was obviously impossible to pass such a provision. In proposing this clause, he could not found himself on anything better than the Report of the Turnpike Committee of last year, which was very strongly in favour of some exceptional provision for cases of this kind. There was, in East Gloucestershire, a case in point. On one side of the parish was a road-using business, and on the other a railway station; and, as the road-using business was conducted through the highway of the parish, the farmers would have to bear the whole cost of the wear and tear of the road when the turnpike had been taken away. This was a grievance which the Government ought to redress, before it became a very heavy burden. He recommended the insertion of the clause, because he hoped that, in the future, there would be two categories of roads—first, the "main roads," and their definition should be such roads as he had described, which were used simply, and almost entirely, for through traffic. On such roads he hoped there would be turnpikes exceptionally introduced, in order to meet the hardships inflicted on the ratepayers in the district where the exceptional circumstances prevailed. The second class would be those roads now called main roads; but which, after the removal of the turnpikes from them, and if there was no through traffic, would be reduced to the lower category of highways. These definitions asserted an intelligible principle, and as a step in that direction he moved the introduction of this clause. The Turnpike Acts Continuance Committee of last year showed how they felt the grievance of which he now complained, as appeared from the following passage in their Report:—

> "No greater cases of prospective hardship on parishes came before your Committee than where the line of road, with a very heavy mineral and trading traffic between large towns, or to and from railway stations, passed for a considerable distance through agricultural parishes. And whatever may be the provisions of a general measure as regards other parts of the country, it seems to your Committee that some special provision will have to be made to meet these cases.
>
> "Your Committee are still of opinion that the compulsory formation of Highway Districts will not alone suffice. It is clear that in some cases a larger area of management is required, and, in many instances, the local authorities should have power to meet exceptional cases by exceptional measures."

Clause (*Mr. Reginald Yorke,*)—*brought up*, and read the first time.

Question proposed, "That the Clause be read a second time."

Mr. WHITWELL hoped the right hon. Gentleman in charge of the Bill would not accept the clause, because it would alter the character of the Bill. This measure was a rating Bill, and the insertion of the proposed clause would convert it into a Turnpike Bill. Although the erection of a toll-bar under the clause would require the sanction of the Local Government Board, that was no security against the county authority, which was not representative of a borough, erecting a toll-bar close upon the outskirts of a populous town. The proposal was so exceptional, that he trusted the Committee would not approve of it.

Mr. WILBRAHAM EGERTON thought his hon. Friend the Member for East Gloucestershire (Mr. J. R. Yorke) had somewhat misunderstood the Report of the Turnpike Committee of last year, which was founded on circumstances altogether different from those which his hon. Friend had stated. No doubt there was great hardship under the existing law. If certain parishes outside some manufacturing towns in Lancashire, Yorkshire and other counties were to remain as they were, without adopting the Highway Acts, no doubt it would be necessary to keep up turnpikes; but the Committee had this year made a recommendation that disturnpiked roads should be supported partly out of a county rate. Therefore, they had entered upon an entirely different principle from that which had been adopted before. They could not have two different principles operating at the same time. The turnpike system was, no doubt, very good, so long as the large boroughs were not brought under its operation; but directly they brought in the large boroughs into the county rate—and he hoped all boroughs would be brought in—then they did away with the necessity for the turnpike system. He should like to see the county rate spread over all the boroughs, or else the boroughs, with quarter sessions, should contribute for the use of the road outside their boundary. He looked upon the turnpike system as a necessary evil; it ought not to be perpetuated in new legislation, unless it were really necessary. It had been said that this Bill was not intended to be a permanent measure. In that case, the whole question would, doubtless, have to be re-considered. It would be far better not to encumber this Bill with a principle totally different from that which the Turnpike Committee this year had recommended, and which constituted the backbone of the Bill.

MR. SCLATER-BOOTH expressed a hope that the Committee would be guided by the useful observations of his hon. Friend (Mr. W. Egerton), and would not be inclined to insert this clause in the Bill. It certainly would not be a proper thing that the county authority under the Bill—namely, the county magistrates—should have it in their power to recommend, or that the Local Government Board, on their recommendation, should establish turnpike toll-gates on county roads. The Committee would, therefore, do well to leave the matter open for future consideration. He was satisfied that the institution of tolls, under such a clause as this, would not be acceptable to the country generally; at all events, it required a much stronger and more representative body to deal with the question than that which was proposed.

MR. J. R. YORKE said, that the Government could not be expected to give any satisfaction to the country unless they took advantage of every facility which they might properly use, to effect a permanent arrangement with regard to this question. So far from being settled, there would hereafter be a renewal of the difficulty. In the district which he represented, there was very little interest felt in the Eastern Question compared with this; for, whereas one person appeared concerned about the Eastern Question, ten persons inquired respecting the question of highways.

SIR BALDWYN LEIGHTON believed, if this or some such clause were not adopted, the Bill would not be regarded as a settlement of the question. There were cases which could not be met, except by an arrangement similar to that for Glasgow, which had been introduced in the Scotch Roads and Bridges Bill.

MR. PELL, who regretted the lateness of the hour at which so important a question as this was being discussed, urged the Committee not to forget the very large reduction which would take place, from the abolition of tolls, in the amount of revenue applied to the maintenance of the roads of the Kingdom. He knew of no substitute being provided to meet the deficiency of income. The principle of charging for the maintenance of roads, as laid down in this clause, he considered a sound one—namely, that the people who used them should contribute towards their support. It would be difficult to substitute a better principle than that. The word "toll" had an objectionable sound, and he could well understand the Government hesitating to impose any provision in the shape of toll; but still there was nothing in the Bill to remedy the evil arising from a serious diminution of the revenue obtainable from tolls on highways. A new and increasing charge levied upon the body of ratepayers generally did not supply the necessary remedy. He could not understand why this clause should not be accepted, when the system adopted in South Wales had given so much satisfaction. He could not conceive that any fairer principle could be adopted than placing the tolls on a road in such a way as to catch the general traffic; and, therefore, if his hon. Friend (Mr. J. R. Yorke) went to a division, he would have the greatest satisfaction in voting with him.

MR. CLARE READ hoped the hon. Member (Mr. J. R. Yorke) would go to a division, if for no other purpose than to see what amount of support he got from Members on that side. He disagreed with the hon. Member for Mid-Cheshire (Mr. W. Egerton) as to the meaning he attached to the Report of the Turnpikes Discontinuance Committee, last year; because he thought it did refer to tolls. The noble Lord (Lord George Cavendish), the Chairman of the Committee—who, it was believed, framed the clause of the Report in question—knew very well what was in his own mind at the time. Certainly, when he (Mr. Clare Read) read the clause, he thought it indicated tolls. To take the county money, and to say that they were going to subsidise a certain road, did not mean that they were going to make the people, who used the road, pay for doing so. There was a main thoroughfare between two great towns, neither of which contributed to a county rate. The only course to adopt in such a case was to make a toll-gate on the road.

Lord GEORGE CAVENDISH agreed with an hon. Member opposite (Mr. W. Egerton) in the remark that the Turnpikes Committee had never contemplated keeping up the toll system; but they thought some compensation might be made, in regard to two large towns, between which a main road ran. The Turnpikes Committee was appointed some 10 years ago for the purpose of getting rid of toll; but the effect had been, in some instances, to suggest a plan like that to which he had just alluded. Great injustice existed under the toll system, when a miller who lived on one side of the gate altogether escaped from payment, while another living on the opposite side had to pay toll every time he passed along the road. His own feeling about this Bill was that, when it got into operation, a great many matters would require to be remedied in order to make the measure work well. The Government would then have to introduce an amending Bill, for adjusting inequalities and redressing grievances. He took that opportunity of saying that since giving Notice of a Clause to make the Highways Act compulsory, he had consulted several gentlemen on the subject; and, acting on their advice, he had come to the conclusion that it was not desirable to proceed with the proposition at that late period of the Session. He, therefore, preferred to see first how the Bill would work. He feared it would be very difficult to work in those innumerable small townships, where the county authority would have to look after so many small affairs. He hoped the clause now under the consideration of the Committee would not be pressed.

Mr. J. R. YORKE declared his determination to go to a division. He assured the Committee that the clause was not intended to be compulsory; and its object was to enable a county authority, after there had been due inquiry, and with the sanction of the Local Government Board, to put up tolls in exceptional cases. That was different from re-introducing objectionable turnpikes, with all the irregularities of the old system. He was assuming that the county authority was endowed with an average amount of common sense, and would be guided by the exceptional character of the localities under their control. The state of things in South Wales might be fairly taken as a guide for legislation on this subject. It had given considerable satisfaction for the last 40 years, and the plan was similar to the one proposed in this clause. The chief difference was that in Wales they began with turnpikes, and then, where the tolls were insufficient, supplemented them with contributions from the county rate. His plan would be virtually the same, only the order would be reversed. It began with the county rate, and where it was inadequate, it would be aided by tolls. Therefore, he thought this arrangement was one which might safely be placed in the hands of the county authority, more especially as he thought an amending Bill would have to be brought in next Session.

Mr. DILLWYN, in reference to the remarks which had been made on turnpikes in South Wales, said, that if the Committee adopted the clause, they would revert to the old system, and not the present one. The old system was an attempt to catch exceptional traffic in certain places. Under the new one, there was no turnpike within six miles of another. The system was a uniform one, and there was no power under it for catching special traffic. The clause seemed to him to be going back to a very vicious system.

Mr. PELL pointed out that the hon. Member who had just sat down had overlooked a very important part of the clause—namely, that the whole thing was to be done after due inquiry instituted by the intelligent and, he might say, the beneficent members of the Local Government Board, who had charge of the administration of the Poor Laws. Could the Committee suppose for a moment that the Head of that Department would wish to put a toll-gate in the wrong place? The clause would not have any harassing effect.

Question put.

The Committee *divided:*—Ayes 29; Noes 70: Majority 41.—(Div. List, No. 203.)

MR. DILLWYN moved that the Chairman be ordered to report Progress, and ask leave to sit again. This Bill had been under the consideration of the Committee at the Morning Sitting, and the almost unprecedented course had been adopted of bringing it on again in the evening. It was now a quarter to 2 o'clock, and he protested against their going on with another debate. They had already been engaged in an important discussion that evening. He never remembered a Bill having been pressed forward with so much pertinacity, when there were serious Amendments to be considered. It was hardly reasonable for the Committee to go on any longer; and, therefore, he moved to report Progress.

Motion made and Question proposed, "That the Chairman do report Progress, and ask leave to sit again."—(*Mr. Dillwyn.*)

MR. SCLATER-BOOTH repudiated the assertion of the hon. Member who had just spoken, that the Government had pressed the Bill with pertinacity. With regard to the Motion for Progress, he hoped the Committee would consent to sit for another half-hour, in which time the Bill might be completed.

MR. DILLWYN disclaimed any intention of making any charge against the Government; but simply wished to imply that it was sharp practice, at the best, to push the Bill on in this way. [*Withdraw!*]

MAJOR O'GORMAN hoped the hon. Member (Mr. Dillwyn) would not withdraw his Motion for reporting Progress. If the hon. Gentleman did withdraw, he would move to report Progress himself.

THE CHAIRMAN inquired whether the hon. Member for Swansea wished to withdraw his Motion for reporting Progress?

MR. DILLWYN replied that he did not.

Motion *agreed to.*

Committee report Progress; to sit again upon *Friday*, at Two of the clock.

SALE OF FOOD AND DRUGS ACT (1875) AMENDMENT BILL.

On Motion of Mr. ANDERSON, Bill to amend "The Sale of Food and Drugs Act, 1875," *ordered* to be brought in by Mr. ANDERSON, Sir WILFRID LAWSON, Mr. P. A. TAYLOR, and Mr. WHITWELL.

Bill *presented*, and read the first time. [Bill 252.]

METROPOLITAN BOARD OF WORKS (MONEY) BILL.

On Motion of Sir HENRY SELWIN-IBBETSON, Bill to further amend the Acts relating to the raising of Money by the Metropolitan Board of Works; and for other purposes relating thereto, *ordered* to be brought in by Sir HENRY SELWIN-IBBETSON and Mr. CHANCELLOR of the EXCHEQUER.

Bill *presented*, and read the first time. [Bill 251.]

CORRIB (GALWAY) RIVER BILL.

Mr. DAVID PLUNKET, Mr. KING-HARMAN, and Sir JOSEPH M'KENNA nominated Members of the Select Committee on the Corrib (Galway) River Bill.

Ordered, That Standing Order 236 be suspended in the case of the said Bill, and that the Committee have leave to sit and proceed upon Friday next.—(*Sir Henry Selwin-Ibbetson.*)

House adjourned at a quarter before Two o'clock.

HOUSE OF COMMONS,

Wednesday, 10th July, 1878.

MINUTES.] — SELECT COMMITTEE — *Second Report*—Public Accounts [No. 277].

PUBLIC BILLS—*Ordered—First Reading*—Petty Sessions Clerks and Fines (Ireland)* [253].

Second Reading — Real Estate Intestacy [28], *put off;* Parliamentary Elections (Returning Officers' Expenses) (Scotland)* [237].

Committee—Report—Debtors Acts Amendment* [104].

ORDERS OF THE DAY.

REAL ESTATE INTESTACY BILL.

(*Mr. Potter, Mr. Leatham, Mr. Hopwood, Mr. Price, Sir Wilfrid Lawson, Mr. Anderson.*)

[BILL 28.] SECOND READING.

Order for Second Reading read.

MR. T. B. POTTER, in moving that the Bill be now read a second time, said, that its object was to make the law uniform both as regarded the real and personal property of intestates. He felt no apology was needed for again introducing the question to the House, inasmuch as no one could doubt its importance. In 1876 he had brought the Bill forward, and the second reading was defeated by a majority of only 35. He now, however, again placed the measure before the House, believing it was most unjust that in the case of intestacy the whole of the real property should go to the eldest son, by the action of the law, depriving all the other members of the family of the slightest participation in it. He held that the interest of the country and the circumstances of the present time were opposed to the longer maintenance of such a law. It might have been well enough in feudal times; but it did not exist in Anglo-Saxon days, and it ought not to exist now. The law affecting intestacy was the only one which governed the present custom. Although the law might be said to be the key-stone of primogeniture, he submitted that, at the present time, it was an anomaly; and he maintained that such a law was not required, and that there was no just reason why it should continue to exist. The Bill would not endanger primogeniture; if people wished to continue that custom they could easily effect their object by the way in which they disposed of their property by will. He had no inclination whatever to impose on this country the law as it existed in France, compelling the distribution of the property of deceased persons amongst all the members of the family. If it were the desire of individuals to continue the custom of primogeniture, they could make their wills accordingly. In that case, the custom of primogeniture might have more or less force in the country, if the law even was changed, and the custom was no longer sanctioned by the Statute Book. Modern society did not reap any benefit from the present system, which operated very harshly in many cases. It was not desired, in the general interests of the country or of families, that the eldest son should any longer be enriched at the expense of all the other members of the family. Intestacy happened more frequently among the middle and trading classes and among the working classes than among the upper classes, whom, therefore, the Bill would not affect. He had received a great many letters on the subject, and among others, one yesterday, from a lady whose husband held real property to the value of £8,000 or £10,000, who complained that her husband was hopelessly insane, and unable to make a will, and that if he died, the whole of his property would go to his brother, the heir-at-law, leaving herself utterly destitute. He insisted that no measure was more truly conservative than the Bill which he was now proposing for their acceptance; and, further, he contended that no evils could arise from the passing of it. One great effect of it would be to make all persons more sensible of those responsibilities which they owed to the whole of the members of their family. He denied that the law of Victoria was one recognizing the custom of primogeniture; and asserted that in none of our Colonies was there evinced the slightest inclination to adopt the system which prevailed in England. In the new Constitution framed for Fiji, the principle of his Bill was recognized, and the whole system of law in this respect was an admirable one, and had received the full sanction of the Home Government. The hon. Gentleman concluded by moving the second reading of the Bill.

MR. LEATHAM: Mr. Speaker, in rising to second the Motion of my hon. Friend (Mr. Potter), which I do with great pleasure, I am reluctant to take exception to a single word which has fallen from him. But my hon. Friend is aware that I do not attach quite the same practical importance to his measure which he does, since I do not regard the law of primogeniture as the keystone of primogeniture. The keystone of primogeniture is to be found in the natural desire of landowners to keep the estate together and preserve the importance of their families; it is secured by a system of settlement and entail with which we are all familiar; it will not be touched by the repeal of a law so flagrantly unjust that it tends to throw discredit upon the custom of primogeniture itself. For I am anxious to draw the widest possible distinction between the law of primogeniture which we condemn, and the custom of primogeniture of which, when it is not pushed to an extreme, many hon. Members who are quite prepared to support this Bill may not hesitate to approve. The law of primogeniture strips every child of the intestate but one for the benefit of one. But under the custom of primogeniture, the estate is charged for the benefit of the widow and younger children; and it is only after this is done that the eldest takes the residue. The law of primogeniture may be described as a law for making paupers of the younger children of small landed proprietors; but the change which we propose in some respects resembles the custom of primogeniture more than the law resembles it, for it will make provision for the widow and younger children, and it is not necessary to consider the question of a residue, because the properties which will come under this Bill are so small that if distribution is to take place at all, it must be an equal distribution, for any other would be a practical absurdity. For I hope that the House will not lose sight of the fact that this Bill will not change by a hair's-breadth the devolution of large estates. They have been withdrawn already by settlement from its operation. But, although this is undoubtedly the case, hon. Members may say that the tone of feeling engendered by this Bill is inimical to primogeniture, and may in the end prove fatal to it. This appears to me to be a mistake. It is the tone of feeling engendered by an unjust law which is inimical to primogeniture. This is always the case when a principle is pushed to an excess. If I believed that the custom of primogeniture were really involved in the question before the House, and if I desired to see that principle overtaken and overthrown by legislation, or by that public condemnation which precedes and insures legislation, I should say to hon. Gentlemen opposite—Go on throwing out this Bill; go on proving that the custom of primogeniture is inseparably bound up with the existence of an unjust law; that by primogeniture you really mean the stripping of every child but one for the benefit of one; go on proving, further, that upon a principle so cruel and monstrous the whole fabric of aristocratic society in England is based; and you will have gone far to shake not only the foundations of primogeniture, but the foundations of aristocratic society in England. As one of those who are attached to many things which are upheld by hon. Gentlemen opposite, I lament this perpetual confusion of ideas, this constant entangling of what is valuable with what is worthless; and that, by the determination to maintain an unjust law, you should cast a dangerous imputation upon everything which you persist in placing under its shelter. I hope, then, Sir, that in the speeches to which we are about to listen, we shall be spared all appeals to what is great and venerable; that we shall not be arrested at the outset by a barricade composed of everything which we admire, with the Throne and the House of Lords piled upon the top; and that even my hon. Friend the Member for the University of Cambridge (Mr. Beresford Hope) will not think it necessary to see in the countenance of my hon. Friend the Member for Rochdale (Mr. Potter)—a countenance which always seems to me positively to beam with benevolence—the face of a masked Guy Fawkes, intent only on exploding what little is left of the fabric of society. Surely it is unworthy of the reputation for sagacity and practical statesmanship which my hon. Friend deservedly enjoys that whenever this little Bill is brought forward, he should sweep the whole horizon for danger, as he does. What was it that he threatened us with upon the very last occasion upon which the Bill was discussed? Why, with the French system of compulsory division, with *mariages de convenance*, and the limitation of the family to follow. He said—

> "If they had not a bias in favour of some such system, the question would not have been urged on with so much pertinacity."—[3 *Hansard*, ccxxx. 587.]

And then he drew a touching picture of the happy English home, surrounded by innumerable children—all of which, by a line of reasoning in which I was unable to follow him, he seemed to ascribe to the existence of the law of primogeniture. Do let us endeavour to keep to the narrow issue which is raised by this Bill. Do not let us be told, as we were told by my hon. Friend the Member for Chippenham (Mr. Goldney) that—

> "The Bill really tended to the adoption of the maxims of the late John Stuart Mill, which ignored more or less the right of private property in land."—[*Ibid.* 592.]

All this is so completely beside the mark, that it favours the assumption that there is really no substantial argument against the Bill, otherwise acute reasoners like my hon. Friends would be sure to have availed themselves of it. Is it to be found in the assertion that the Bill will sweep away all small properties in land? My hon. Friend the Member for the University of Cambridge went so far as to say that it was a barefaced attempt on the part of plutocrats to gobble up small properties in land, and almost implied that the Proposer and Seconder of this Motion were a kind of provincial Ahab and Jezebel engaged in setting Naboth on high. Yet, in the very same breath, he discovered that Ahab and Jezebel are intent upon introducing the French system of compulsory division! But, seriously, what small freeholds will this Bill abolish which ought to be preserved? We are told that the small freeholder will not make a will, and that his freehold will, therefore, come under the operation of this Bill. I can readily understand that the small freeholder will not make a will "in your sense." I can easily believe that there are few men so base—I was going to say as the existing law—so base as with their own hands to write down every child but one a beggar; but there are many men who will shelter a miserable family pride under the black shadow of the existing law, and say—"Let the law take its course." But this is not a state of things which I, for one, desire to perpetuate; least of all, upon the ground that it has come down to us from feudal times; for I maintain that the principles upon which this law is now upheld would have been held barbarous then, and that the law itself, with its present surroundings, would have been held barbarous then. For it is a law which is infinitely more unjust and injurious now than it was then. Then the law affixed heavy burthens, grave responsibilities, stern duties to the claim of those who inherited under it, and it took care to make a due provision for the widow. But the provision for the widow has disappeared under the Dower Act and the universal practice of conveyancers; the duties and responsibilities have all disappeared as well. The age of feudalism was a rude one; it sacrificed many things, even justice itself, to its notion of expediency; but the age in which we live, as it is represented and interpreted by hon. Gentlemen who oppose this Bill, is ruder still; it has renounced the expediency, but it clings to the injustice.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. T. B. Potter.*)

Mr. GREGORY, in moving that the Bill be read a second time that day three months, pointed out that there had been a singular discrepancy between the line of argument adopted by the Mover and of that followed by the Seconder of the Motion for the second reading. The latter evidently thought that the former had been too candid in disclosing the real scope of the Bill; but he (Mr. Gregory) could not help agreeing with the argument of the hon. Member for Rochdale (Mr. Potter), that the Bill would have a prejudicial effect on the principle and custom of primogeniture, and he thought it would be mainly supported for that reason by Gentlemen on the other side of the House. He admitted that the present law was part of our feudal system, and arose from our feudal notions and customs; but he objected to its being altered because it was assumed that in the few cases in which of those who neglected to make a will, they would have made a different disposition of their property. If the law were abolished, the principle on which it had been originally established was affected; and he could not help thinking, therefore, that the Bill had a somewhat more important bearing than appeared on the face of it. It involved larger questions than were embodied in the two pages of it, and it would affect principles which had existed in this country ever since the Conquest, and which were connected with the Constitution and institutions of the country. And now as regarded the practical and immediate operation of the Bill. In the first instance, he might say that it would principally affect small properties, of which a considerable number would be diverted from their present mode of descent, and vested in administrators or trustees for division among the family—which division, he apprehended, would be conducted according to the Statute of Distribution for the division of personal estate, as a grant of administration would be required. The effect would be to render all properties whose owners died intestate liable to probate or administration duty. If the real property of intestates were made liable to probate duty, it would not be long before the real property of testates was made liable to the same duty also. The principle of imposing probate duty on real property would thus be established when administration was taken out. The next question was—how was the property to be dealt with when it came into the possession of the executor? His duty would, of course, be to divide it amongst the parties entitled, and if this was to be done in specie, it could only be by way of partition on the certificate of one or more surveyors, and mutual conveyances between the parties. The difficulty of this was exemplified every day in the case of leasehold estates which were almost universally sold, and the proceeds divided; and this course would have to be followed, and was, in fact, contemplated by the present Bill; but under the Bill it involved an application to the Court of Chancery, and it would be found that the expense of such a sale would in such cases be totally disproportionate to the property. Now, what was to be attained by this? The duty of an executor would be to divide the property under the Bill. A small property of 30 or 40 acres, divided among five or six children, would be of no value to any of them. Their real estate being a tangible thing which was always before their eyes, the hope of inheriting it would, he was afraid, lead many persons, as it were, to live on their expectations rather than endeavour to make their way in the world by their own exertions; while, as the law now stood, a younger son felt that he was bound to a considerable extent to provide for himself. No doubt, there were cases of hardship at present, but these were principally confined to the want of provisions for the widow; and he frankly admitted that the Dower Act had gone too far, and that some alteration was required in this respect, so as to draw the law nearer the custom of a former time. The instance of hardship which the hon. Member for Rochdale (Mr. Potter) had quoted was, he presumed, one in which the husband had acquired the property himself, and had made a declaration that his widow was not entitled to dower under the Act to which he referred. Another result of the Bill would be that very many of the smaller properties would be merged in the larger, and these small properties, too, which had not been out of a family for many generations. These risks were not worth the infinitesimal benefit which would be derived from the Bill in the few cases that occurred, and the hardship of which the slightest care would have averted. No sufficient ground had, in his opinion, been shown for the proposed alteration of the law, which, if made, would, he believed, be prejudicial to the real interests of those on whose behalf it was proposed; and he, therefore, begged to move the rejection of the Bill.

MR. BERESFORD HOPE, in seconding the Amendment, acknowledged the light and airy tone in which his hon. Friend the Member for Huddersfield (Mr. Leatham) had indulged in treating of the subject under discussion. He (Mr. Beresford Hope) assured him that it was his sincere desire that the day would be far distant when the much respected Member for Rochdale (Mr. Potter) would be treated as he proposed to treat the land of England. Instead of his being distributed, as would occur to the land by the carrying-out of his proposal, they all desired to keep his hon. Friend—whose pleasant appearance they could not but welcome—in all the amplitude, vigour, and smiling abundance in which he had presented himself that day. His hon. Friend and the hon. Member for Huddersfield who had supported him, had one argument which, so far as this Bill was concerned, might be called their stock-in-trade; while it resembled the stock-in-trade of certain other well-known gentlemen, inasmuch as it comprised one pea—a very small one—and two or more thimbles. The one pea was the Bill before the House, and the thimbles were labelled "small relief" and "great reform," or whatever was the reverse of reform, to be effected under the measure which they were now asked to read a second time. But he had no wish to treat the matter as a joke; indeed, it would be no joke if the Bill passed. It was, he might say, unblushingly put forward as initiating a still greater change, and even as it stood he must oppose it, believing that it would have an injurious tendency in regard to the two classes of property which it would chiefly affect—namely, small properties held by the less educated class of freeholders, and the larger properties which might devolve by that which used reverently to be called "the visitation of God." With regard to the former, the proposal embodied in the measure before the House was more systematic certainly than the law of gavelkind; but the result was practically the same. The hon. Member for Huddersfield had only to go into the county of Kent—the part of the country with which he (Mr. Beresford Hope) was best acquainted — to see the very law in operation which his Bill sought to establish, in the case of small properties; for those were exactly the possessions the unhappy law of gavelkind affected. Having seen the operation of that law, he could unhesitatingly say that nothing could be conceived which could work worse as a land law, so far as regarded the best interests of those concerned. It was also an evil which, as in the case of France, grew greater by progression as families increased and sub-division went on. It tended to pauperize them, and it engendered false pride. They would find, under that law, a pauper landowner too ignorant or too lazy to make his will, or who went to the hedge-lawyer or his own more stupid self to make his will instead of the respectable local practitioner. The hon. Member for Huddersfield had spoken of the case of the son of a small landowner whose dying intestate had given him the real property and left the other members of the family beggars. But the proposed change in the law would leave all the family beggars. The law of gavelkind caused those who took, or hoped to take, under it, to go loafing about, without any incentive to work, yet feeling themselves the great people of the locality, the very salt of the earth. They were contingent landowners. They stuck, so to say, to the ground; they lived in a neighbourhood where the labour market was overstocked, and, not having sufficient to live on from their inheritance, they were impoverished and pauperized. The true instinct of labour was gone; the true instinct to push one's fortune, shoulder to shoulder with their neighbours, had died out; and the clinging desire to hold on to what seemed to be a staff, but what was really a broken reed, was noxiously apparent. He felt satisfied that if the Bill were to become law, and become practically operative, it would be mainly in those very cases where its operation would be at once most frequent and most deleterious to the public weal, and least to the advantage of the persons whom it professed to benefit. He, therefore, hoped it would never receive the sanction of Parliament as the law that should determine succession in the case of small properties. There was another class of cases in which it might be brought into operation, through what was called in the old language of coroner's inquests, "the visitation of God," and the similar cases in which the owner became a lunatic while still intestate, or was a minor, and in dying might perhaps determine a great historical inheritance, and divorce it from the title with which it had been concorporate. These were cases, in which, he thought, the hon. Member would himself not wish to see his Bill largely brought into operation. Another objection to the Bill was that it would facilitate the gobbling-up, if he might say so, of landed property by quiet and prudent, but grasping men—the village money-lender, perhaps, or some other variety of spider. It was, therefore, a bad measure on all sides; because the alternatives which it presented, although opposed to each other, were equally objectionable. It would break up the wrong properties, and it would amalgamate the wrong properties. An owner of property might very fairly be allowed to act for himself. If he wished his property to be divided, he could divide it now. Everything, in fact, which the hon. Member for Rochdale desired to have done, and which beneficially could be done, could now in most cases be accomplished. In his mind, a Bill so purposeless and so petty in its ostensible scope, and yet so bitterly pressed, must imply something broader, pointing to a revolutionary change in the social institutions of the country; and while he quite exonerated its promoters of any conscious intentions in that direction, he could not exonerate their measure from that tendency, nor themselves from the innocence which made them the instruments of a party which knew what it was after. In short, it was so petty and frivolous in its exterior, and so vexatious in its tendencies, that he felt it his duty to give it his strongest opposition.

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day three months."—(*Mr. Gregory.*)

Question proposed, "That the word 'now' stand part of the Question."

MR. BAXTER said, he had watched with a great deal of interest and some amusement, during the last two years, the controversy that had arisen out of the Bill introduced by the hon. Member for Rochdale (Mr. Potter); for of all the opposition to measures calculated to render the laws of this country more just and equitable, he did not know anything that changed its ground in so marvellous a manner as the opposition to this Bill. They had a law that if a man died intestate the whole of his property should, instead of being divided, as nature indicated, between his wife and family, be handed over where it was land to the eldest son. This law, which the Bill was designed to alter, was, as had been said, a relic of the feudal times. It was such a law as existed in no country under the sun except our own. That it should have been permitted to remain so long on our Statute Book was a puzzle to foreigners, by whom it was regarded as a very remarkable illustration of the deep-rooted prejudices which existed in this country. No man would dispute that the natural, just, and economic view of the question was that a man should be permitted to leave his property in any manner that he chose, subject, of course, to the provision that it should not be against "good manners"—*bonos mores*—and in the event of his dying without making a will, that his widow and children should benefit from his estate. The Legislature had stamped with its impress the rectitude and wisdom of that course in the case of personal property, and very strong and formidable arguments would be required to convince them that what was good for one kind of property was bad for another. He maintained that the arguments hitherto presented to them against the Bill were not only different every Session, but that they had been utterly contradictory and inconsistent. If anyone would take the trouble to read from *Hansard* the past debates on the Bill, he would see that its opponents had occupied all sorts of positions, had been driven from pillar to post, had placed themselves on the horns of a dilemma, and had been fairly cornered. The history of this contest with regard to the intestacy law was a very curious and amusing one. In its earlier stages the advocates of this extraordinary law had relied on one argument only—that if they passed this Bill compelling real property to be divided in cases of intestacy, the inevitable tendency would be to a greater, if not a compulsory, division of land. They enlarged on the evil effects of the present system of land tenure in France, and held that there was no safe and middle course between the unnatural and artificial law of England and the equally unnatural and artificial law of France. But they had found that this argument was unavailing, because it was not founded on fact. The promoters, not less than the opponents, of the Bill were opposed to the land law of France; but they had a safe foundation upon which to rest their claim, when they asked the Legislature to adopt the same principle in regard to real property which they had already adopted in regard to personal property. Finding that was the case, the opponents of the Bill suddenly changed their ground with a nimbleness and dexterity worthy of the most accomplished circus performer. No more was heard about the danger of partition. The danger was found to be all the other way, and it had given place to that of the accumulation of landed property. When, therefore, he came down to the House to-day, he did not know what line the opponents of the Bill were going to take. He found both speakers who had addressed the House in opposition to the Bill had abandoned the first argument, and had adopted the view that the inevitable effect would be that large landed proprietors would "gobble up" the small ones, that big proprietors would become bigger, and that the beautiful "balance of properties" which now existed would be done away with. He put it to the House whether any clear-headed man could conceive that the great social convulsion which some professed to apprehend from it was likely to follow the passing of the measure, seeing that it would take very many years before the measure would have any perceptible effect at all? It was quite ridiculous to talk in the same breath about the measure bringing about excessive partition and excessive accumulation; and he put it to the House whether there was not an absolute inconsistency between these arguments which was fatal to them? These were the two main arguments that had been brought forward, though there were one or two small ones which he did not think were worthy of being introduced to the House. One was that all the members of a family would believe there was enough for all when there was only sufficient for one. But the hon. Gentleman who had used that argument (Mr. Beresford Hope) evidently thought that because people were poor they could not reason. The argument in favour of the Bill lay in a nutshell, and could be stated in a sentence. It had nothing to do with the law of equal partition. He (Mr. Baxter) was as much opposed as any hon. Gentleman could be to such a law, and they might rest assured and be comforted by the fact that it was never likely to be introduced into this country. There were a number of smaller arguments in its favour to show that it would be a beneficial and Conservative measure. It would certainly lead to a simplification of title deeds, which would be a great advantage. Apart from the position that the present law was an unnatural and an unjust one, he advocated a change on two grounds. In the first place, there had been many instances in which the families of men who had invested in land had suffered great injustice by the operation of the present law. They had been many times stated in that House. In the second place—and he wished to be perfectly frank with the House—while he did not think a man ought always, far less that the law should compel him, to leave his property equally to his family, he most cordially supported the measure; because he believed it would have a tendency to educate all classes in this country in regard to the evils of that kind of deference to the law of primogeniture, which had pauperized families in all classes of life, which was a fruitful cause in this country of bitter feeling and anger, and which, he believed, was a real danger to the institutions of the country.

Mr. ALFRED MARTEN said, that to give effect to the Bill, it would be necessary to have a partition of property in cases of intestacy, and a tendency would thus be created in the direction of compulsory partition in all cases. He must deny that the arguments urged against the Bill referred to by the right hon. Gentleman the Member for Montrose (Mr. Baxter) were inconsistent. That as to the compulsory partition of land had been regarded as a sound objection by the promoters of the measure, as they had endeavoured to meet it by a provision for the sale, after his death, of the freehold estate of an intestate owner. On grounds of political economy he considered that the operation of the Bill, with regard to small estates, would be injurious rather than beneficial, inasmuch as it would lead either to the compulsory partition of the estate into very small portions, or to the sale of the estate; and if it were purchased, say, by the eldest son of the deceased, he would not step into the shoes of his father, but would take the family estate charged, in all likelihood, with heavy mortgages. If he did not purchase, the estate would pass, very probably, into the hands of a stranger. The operation of the law with respect to small estates would therefore be injurious rather than beneficial. The hon. Member for Huddersfield (Mr. Leatham) once asserted that, considering its price, and other circumstances, land must be considered as the luxury of the rich. Since that speech was delivered, however, they had had placed before them the Returns of the new Domesday Book, from which it appeared that landowners were widely spread all the country over. In England and Wales they amounted to no fewer than 972,836. Of these, 703,000 held under one acre of land, and the holders of over one and under ten acres were 121,000 persons. In Cambridgeshire alone, 13,173 persons, out of a population of 186,000, held 522,000 acres. So that, taking the male adult population at 46,000, one-fourth of its members were landowners. That, he believed, might be taken as a fair illustration of the distribution of land throughout the country. In dealing with the Bill they ought not to leave out of sight the enormous number of owners who held under one acre and over one, but under ten acres. A glance at the figures he had quoted would show that the objection that was raised as to the inconvenience which would arise to the public from a partition of these small properties was well founded, and how consistent with it was the assertion that ultimately it would lead to the accumulation of large estates in comparatively few hands. One argument advanced by the right hon. Gentleman opposite (Mr. Baxter) in favour of the Bill filled him with surprise—namely, that it would have the effect of simplifying titles. The experience of the gavelkind custom in Kent was fatal to the argument; and he (Mr. Marten) challenged those who made the assertion to explain in what way it would have that effect; for he was convinced that it would, on the contrary, cause the greatest possible confusion and difficulty in questions of title. In that county, by constant divisions and sub-divisions of land, it was no uncommon thing to find a property of a few acres in the hands of many persons, whose title was in each case involved, and an abstract of which it would be very expensive to prepare. These facts were sufficient to furnish them with a warning against ill-considered legislation. In the course of the discussion reference had been made to the law of primogeniture, and to the good effect this Bill would have in abolishing that law; but it seemed to have been forgotten that, practically, the law was non-existent, or was modified in many instances by local customs, among which was that of gavelkind, which prevailed in Kent, and under which the real property of intestates was equally divided between their children. With regard to the general principle upon which the Bill was advocated, he pointed out that, strictly speaking, there was no absolute law of primogeniture. It was only in cases where there was no local custom that the whole of a man's real estate where he died intestate, or where there was no entail in existence, passed to his eldest son. He could not help thinking that the greatness of England was largely due to the fact that the nobility and gentry were not of an exclusive class, but had always been mingled with the other classes, forming an integral portion of the people at large. The arrogance which had arisen in some countries among the nobility and the higher classes of gentry was due to the fact that all the sons were treated as equal, and they formed a caste by themselves; whilst in England, as the real estates of the nobility and gentry descended to the eldest sons, their younger brothers were placed in a position of having to make their own fortunes; and so the families of the highest in rank became intermingled with the people to the advantage of the whole community by abolishing the feeling of caste, and preventing the families of the noble and the wealthy from erecting pedestals, so to speak, on which they stood apart from the people of the country who were outside their own particular order. If the House, then, desired to preserve the country great and prosperous as it was, and to bind all classes together, they should encourage, rather than do anything to discourage, the law of primogeniture. The Bill contained two things that were sufficient to insure its rejection; first, it proposed to abolish the legal customs of inheritance without mentioning them—a thing that ought not to be done without serious consideration; and then it proposed to introduce, in effect, the Statute of Distribution of personal estates as governing the law with regard to real estates; but the Statute of Distribution with respect to personal estate was in a most unsatisfactory state itself, and caused the greatest possible injustice, so that it would be necessary to revise it before it was applied to real estate. He therefore asked the House to agree to the Amendment of the hon. Member for East Sussex (Mr. Gregory), on the grounds that if the Bill was to be passed, there ought to be laid before the House arguments and statements of fact to show that, instead of creating inconveniences in the future, it would remove those which existed at present. No such statement or argument had been forthcoming; and, as far as could see, the only effect of the Bill would be to abolish the local customs to which he had referred, and which had worked satisfactorily, and to apply to the real estates of intestates the principle of devolution which prevailed in the case of personal property, and which, in many cases, was far from satisfactory in its operation. An alteration of the law in the direction proposed by the Bill would produce not only inconvenience but injustice; and he thought that before being asked to pass it, the House should be shown that it would confer on the community advantages sufficient to excuse the inconveniences which it would occasion.

Sir JOSEPH M'KENNA said, that in voting for the second reading of the Bill, he wished it to be understood that he in no way committed himself to its details. The principle contained in the Bill might have been better drawn in six lines, and have commenced and finished in declaring that, in cases of intestacy, the law applicable to real estates should be the same as that applicable in distribution of personal estate, leaving it to a Select Committee to provide the details how this principle should be carried into effect. The only serious objection to the Bill was that which had been suggested by the Mover of the Amendment—the hon. Member for East Sussex (Mr. Gregory)—that, in cases of intestacy, it would introduce a plague of lawyers, than which he (Sir Joseph M'Kenna) could imagine nothing worse since the plagues which desolated Egypt. In any law, therefore, that might be passed upon the subject, he hoped that ample safeguards would be taken to protect the families of intestates from such a plague. That, however, was a matter of detail that could be remedied in a Committee, to which he would like to see the Bill referred. His (Sir Joseph M'Kenna's) opinion was that it would be best to allow the freehold property of intestates to devolve as at present to the heir-at-law, charging it, however, to the extent of half its value in favour of the personal estate. Such a course would go far to obviate the plague of lawyers, because it would at once invest the heir-at-law with power to protect the estate. He should vote for the second reading of the Bill, in the hope that Government would be induced at some early day to take the subject up, and to carry through the House a well-considered measure, with all the authority which attached to the action of Government.

Mr. WHEELHOUSE asked, whether, by a couple of clauses, a private Member could reasonably expect to deal in this somewhat off-hand manner with the existing law of England on that subject? He was almost sorry to see on the back of the Bill the names of hon. Gentlemen in respect to whom he expressed no doubt that, so far as the manufactures of Lancashire were involved, they were excellent judges; but, with all respect to his hon. Friends on the other side, he confessed he did not think they were very likely to deal with the law of real property in a way quite so satisfactory as lawyers might be considered competent to deal with it. When he came to look at the proposal in the Bill, it was practically this—that it sought to change, almost at a moment's notice, the whole law of property. It might be desirable to do this; but, if desirable, certainly it should be done with much more consideration for such an enormously large subject than was found to have been bestowed upon the Bill. The proposition was a broad one, even to boldness, since it sought practically to turn all lands into money, and to let the executors, if there were any, or administrators, failing the executors, do with that money not exactly as they might think right, but to make the devolution precisely that which was now the devolution of personal property, or as near as the law, under the circumstances, would permit. When considering a question of this kind, they must look at the privileges which were and must exist in reference to these estates, which were almost, if not absolutely, inalienable rights, with which the House never had, or could have, any concern, except under the most extreme circumstances possible. He wished very much that, in order that the fate of the measure might have been disclosed at once, that it had been first introduced into the House of Lords. If it had passed a third reading there, it would be more deserving of success; but now the measure was proletarian in every view, and to send it to the other House, with an almost certain knowledge of the fate it must there meet, seemed to him a mere waste of an afternoon at this time—just as afternoons had been wasted on similar measures in times gone by. They were told that in "another place" they had often very much less work to do than they ought to have, and that their share of legislation was considerably less than the circumstances warranted. Let that Bill, or a number of Bills like that, dealing with the real property of the country, be initiated in the House of Lords; get them passed there, if they could, and then let them come down to this House, where they would be able to deal with them. As far as he understood the Bill, they were asked to upset every relationship which now existed between the owner of real property and those who otherwise would succeed to it. The effect of the Bill in this country would be that properties, especially the smaller ones, would be practically cut up into shreds—merely to do what? To give to these younger sons or younger members of a family some small portion of an inheritance which, being divided and sub-divided infinitesimally, would be utterly worthless in the hands of the owners of the estates. The result of the expectations which would be raised by the division of the property would be inevitably this—that, whereas the younger sons were obliged to seek their living in the same way as the rest of the community, they would idle about, waiting for some possibility, which, in all likelihood, might never arise. They would waste their lives in the vain hope of succeeding to property which, after all, would be of little value in their hands. It would have, also, the effect of throwing the properties into the market, for an expectant would be very desirous to get for his share of the estate so cut up anything almost it would fetch. The property, in fact, would be sold under its value; and the consequences, even in that respect, would be almost fatal to the good sense and arrangements of England as they existed at present. Another evil would also be introduced by the Bill into the landed system of this country—an evil which was well known to legal gentlemen, and which was apparent to a great many outsiders—and that was this, that an executor would have power of sale—almost, in fact, under the provisions of the Bill, compulsory power of sale. If an executor, carrying out his power, put property of any kind into the market, the chances were that the moment it was known either by the profession or outsiders that it was a forced sale, the land itself was deteriorated in value, and less money would be received for the property than it was really worth. It would soon get abroad that at one or other of the great auction marts of the country a number of estates were to be sold compulsorily by order of the executor under the provisions of this Statute, and properties would be thrown into competition. Land would suffer very materially, and would be sold below its value, and would go into the hands of speculators, brokers, and dealers, bill discounters, and into those of other persons from whom it would be very desirable indeed to keep it. He could quite understand that there might be even here and there a hardship—there might now and again be an instance of very grave hardship—but was it to be said that because an occasional grievance might be shown, and even proved, that they must change the whole law of the country on the subject of land, which, it must be admitted, had worked as a rule thoroughly well? It was said that grave hardships made bad law. He knew of no instance where that adage would be more fully and completely realized than it would be if, because an occasional difficulty arose, the whole law affecting the entire property of the country were to be changed. If they were to have a change so utterly radical—for that was the only word which completely expressed what was sought to be done by this Bill—it ought certainly not to be left in the hands of any private Member. It ought to be gravely considered and introduced by a responsible Administration. They had seen what were the effects of the separation of property in France and in Belgium. Although in France no one of the members of a family were wholly disinherited, the real property did not go share and share alike as this Bill proposed should be the case in England. If anyone had studied the agrarian law of another country, however, he would find that what he had indicated a few moments ago would be the effect of this Bill. It had already occurred in Belgium. The properties in that country had been divided and sub-divided to such an extent as to make it almost a necessity for the youngest children, so as to save anything from the wreck of their little patrimony, to put their share in the market or go to their elder brother and get him to buy them out. He had the instance of Saltaire in his mind. There the late proprietor of the estate bought the land, erected an enormous mill upon it, and built, in addition to the property, which consisted of one whole village, some surroundings beyond the limits of the village itself. What were they to do in a case such as that? Were they to send a property of that sort at the will and instance of an executor upon the market, in the event of the death of the owner intestate, or was the family division of the proceeds of such sale to be that of personalty? He ventured to assert that they could not by any accident find a more ruinous process in the world to apply to such an estate. He could further instance the large number of properties in the neighbourhood of Rochdale and Eastwood which he thought the hon. Member for Rochdale (Mr. Potter) himself would admit could not be fairly dealt with by the Bill. The present law had been duly considered, and was found to work well. Difficulties arising from intestacy seldom occurred, and when they did so they were often of a very trifling description. Notwithstanding this, it was now sought to establish a law by which the land might be so cut up that those fairly entitled to it might be denuded of all advantage from it. He believed the time had not come, and he hoped it never would come, when a Bill of the kind would meet any success in the Parliament of this country.

Mr. FAWCETT said, he must protest against the views of the hon. and learned Member for Leeds (Mr. Wheelhouse). The number of intestacies was stated to be very small, and the action of this Bill would be still further to reduce them. It could not, therefore, be in any way regarded as to the consequences which it would produce, by attempting to calculate the number of properties which would come under its operation. The opponents of the Bill had attempted to show that its supporters were anxious to abolish the law of primogeniture, and to introduce a compulsory sub-division of property. He thought the opponents of the Bill were bound to accept the distinct assertion which had been often made, and which he now repeated most emphatically, that the supporters of the Bill did not wish to abolish the law of primogeniture, or to introduce a compulsory sub-division of property into this country. Such a thing would be an unwarrantable interference with individual liberty. Their contention was that if primogeniture was to be retained, it should stand upon its own merits; but that Parliament should not give it the artificial sanction and indirect encouragement of this law which it was desired by the Bill to repeal. The principle on which the law of intestacy should be based was simple and intelligible—that if a man did not by his will say how he disposed of his property, the State should step in and distribute it according to the dictates of natural justice, and according to the principles which were supposed to be best for the State. On the other hand, the simple principle of those who advocated this Bill was that it was wrong for the law to say, in the case of personal property, that the widow should be provided for and no distinction made between the elder and younger children, or between sons and daughters; but that directly they had to deal with real property, the principle of distribution should be changed, and the State rule that it was in accordance with the dictates of natural justice and of public policy that every shilling should go to the eldest son, even though his mother was driven into the world a pauper, and his brothers and sisters cast upon society as penniless mendicants. A great deal had been said about the advantage of sending the younger children into the world without property, and therefore compelled to earn their own livelihood; but that argument was surely as applicable to personal as to real estate? In the case of daughters, the hardship was especially severe; for how was a girl, who had been brought up in every luxury, after her home was broken up and her father dead, to go forth into the world with a vigorous spirit and earn her own livelihood, whilst the avenues to all but a very few employments were closed against women by those very persons who now used this argument. If this argument was worth a straw, it would equally support an unfair disposition of personal as well as of real property. He assured the House that, although he believed that socially and morally it would be better for this country that the land should be more equally distributed, yet he did not want to bring about that distribution by artificial means, nor to see small properties already in existence preserved by artificial assistance. The simple contention of the supporters of the Bill was, that large and small properties should be left to take care of themselves, and that no attempt should be made to preserve them by artificial means. It was extremely undesirable in the legislation of this country to do anything to encourage the aggregation of large properties; but, on the other hand, it was equally of importance that our legislation should do nothing to discourage such aggregation; and all that he contended for was, that nothing should be done either one way or the other. No one, however, could contemplate with indifference the position of the Land Question in this country at this moment, for it could not be well for a country that its soil should be getting into fewer and fewer hands. The proposed change could only operate by slowly and gradually changing the sentiment of the country; but there were people who were willing to bring forward schemes of land reform far different from this, and in the interests of moderate and just legislation he earnestly entreated the House to give such a moderate proposal as this was a fair and candid consideration. If this law was passed, its immediate effects would be almost imperceptible; but he did think that if the law were changed, the sentiment of the country would be gradually changed. If not, then it would show that primogeniture rested on a natural basis and required no artificial assistance, and that there was no reason for the change; but if, on the other hand, the measure should have the effect of producing a gradual change in public sentiment, and should cause real property to be more generally distributed, as personal property was now, then it would appear that primogeniture was artificially maintained; and, in that event, the contention was that there was no ground for so maintaining it. It was all very well to say that most owners of personal property made eldest sons their heirs; but they never did so, without making adequate provision for their widows and younger children. Suppose a man died worth £100,000, and he gave £90,000 to his eldest son, £5,000 to his widow, and the remaining £5,000 to his younger children, he would know that whatever was his reputation when living for justice, morality, and kindness, he would go down to posterity as a man who had made an unjust disposition of his property—who had, in fact, done a wicked wrong to his widow and younger children. It was only to meet those cases in which, owing to there being an intestacy, such provision was not made, that they asked for an alteration of a custom which was neither just nor consistent with the general interests of the public or of society. The vehemence of his opposition to this measure showed that the hon. Member for East Sussex (Mr. Gregory) feared for the future of primogeniture as an institution, and that he believed that primogeniture was not based on natural justice or public policy.

MR. HERMON did not believe that the hon. Member for Rochdale (Mr. Potter) would be able to carry the Bill this Session; but said he should certainly vote for it, believing, as he did, that it was a Bill in the right direction, calculated to remove cases of hardship which undoubtedly occurred under the existing law. He had looked into the Bill, and could not see in it anything revolutionary or Socialistic. The Bill proposed that a principle which, under the existing law, applied to personal property should be applied to real property, and why should not that change be made?

MR. SHAW LEFEVRE also supported the Bill, endorsing what had been said by the right hon. Gentleman the Member for Montrose (Mr. Baxter) as to the change and inconsistency of argument on the part of the opponents of the proposed change. He did not see that there was any ground for the apprehensions to which expression had been given as to what would be effect of this measure if it should become law. With reference to the arguments of the opponents of the Bill, as regarded its effect on small landowners, his belief was that that class, as a general rule, were quite as ready to make wills as the large landowners, and they generally left their property, whether realty or personalty, to their children equally. When land was the subject of marriage settlement, the almost universal practice of the middle class was to vest it in trustees, with the power of sale, the technical effect of which was to treat it as personalty, and it went equally among the children. The principle of the equal inheritance of land was, therefore, perfectly familiar to that class. The fear entertained of the extinction of the small landowners by the Bill was altogether groundless. It was a Bill which could only deal with exceptional cases, where there was no will, and such cases were very rare. He held that the Bill would slowly and gradually lead, not to the absorption of the small landowners, but to their continued existence; and probably it would increase the number of landed proprietors in this country. Besides the law of primogeniture, there was the practice of primogeniture, and the latter might long survive the former. Nobody had proposed to make an alteration in the direction of a compulsory disposition of landed property, but to leave the power of willing intact, and in the event of intestacy, to make an equal division of it. He believed that that change in the law would slowly and gradually operate in the direction of changing even the practice of primogeniture, and that such a change would ultimately take place. No doubt, in many families that practice would long continue to exist, and Peerages must be kept up; but when they withdrew the sanction of the law from such a practice, the practice itself would somewhat diminish. There was no primogeniture in the case of females, the property in the case of intestacy being equally divided among the children when they were all daughters. The usual practice of families was to divide equally among the daughters, and it was very rarely that a difference was made between the daughters where there were only daughters. That showed that it was the tendency of the practice to follow the law. The passing of this Bill might have an important influence on the law of entail. He had himself attempted to deal with the law of entail; but he found that it was difficult to do so, without dealing also with primogeniture; and he thought the logical course of proceeding was to deal first with primogeniture, and then with the law of entail. He believed it would follow almost as a necessary consequence that when this measure was passed, they would also have some limitation put upon the law of entail. He agreed with what the hon. Member for Hackney (Mr. Fawcett) had said in favour of retaining the freedom of willing. In this country it was generally supposed that the French system of compulsory inheritance was adopted with the view of breaking up large properties and dividing them among the children, and also that it was the result of the French Revolution. That was altogether a mistake. The French law came originally from the old Roman law, under which there was a presumption that if a man disinherited any one of his children he was out of his mind and his will was set aside. Compulsory inheritance was once the common law of Europe, and it was only when the feudal system arose that the law was altered. The result was, that when the French Revolution swept away feudalism and privilege, the old law came to be applicable to every species of property in France. Since then, the law of primogeniture and the law of entail had been either abolished or much modified in Austria, Germany, Scandinavia, Italy, and Spain, and the old law of compulsory inheritance, derived from the Roman law, prevailed in most parts of Europe. He did not propose that that law should be introduced into England. The people of this country greatly valued the principle of freedom of willing; and wherever the Anglo-Saxon race had gone, whether in the United States or in the Colonies, they had preserved that principle. He believed, however, that the law of primogeniture had now been abolished in nearly every civilized country except England, and the law of entail also greatly limited. The effect of adopting this Bill, and also making the further alteration he suggested in the law of entail, would be, while preserving the freedom of willing, not to discourage the proper aggregation of land, and yet to discourage its aggregation in very few hands. If they gave the present generation absolute dominion over land, they might safely leave the other questions of the accumulation and sub-division of land to themselves, thus pursuing the course which would be best for the interests both of individuals and of the State. Although the Bill might be rejected by a large majority, yet the time would come when England would also follow the example of other civilized parts of the world, and abolish the law which made such unwise distinctions. It had been abolished in those countries, because it was held to be unjust to maintain a law which tended to the aggregation of property in a few hands.

SIR GEORGE BOWYER thought the hon. Gentleman who had just sat down (Mr. Shaw Lefevre) had let the cat out of the bag. It had been said that this was so small and innocent a Bill that they might as well pass it, and that it would hardly have any effect at all. The hon. Member who had spoken last, however, told them that when the Bill was passed he would have something else to abolish—namely, what he called the law of entail. But what the hon. Member attacked was not the law of entail, but the law of succession—a very different thing; and he wished to assimilate the law of England to that of other countries. The hon. Member, in referring to the Roman law, had confounded two things which were perfectly distinct. He had said that, under the Roman law, if a man did not leave anything to any of his children, it was regarded as an aberration of judgment; that portion of his will was void, and he was obliged to leave a provision to his children. There was nothing so very remarkable in that, because a similar rule existed in Scotland. But that was quite a different thing from an equal division of land. Again, as to the French Revolution, they all knew that it was caused by the great influx of democracy, the great object of its authors being to put down the aristocracy. The hon. Gentleman had sketched a very remarkable revolution which he wished to effect in England. He had very kindly said he would not do it by violent means; but it was not certain that if the Bill were passed, and he saw his way to do so, he would not make his views compulsory. The hon. Member for Hackney (Mr. Fawcett) had said that primogeniture was an institution founded on public sentiment, and on the sentiment of this country especially, disclaiming any wish whatever to see it changed. [Mr. FAWCETT: No.] Some of the hon. Member's expressions seemed to him to bear that meaning; but he supposed the hon. Member would not interfere with primogeniture by compulsory measures. The second part of his speech, however, was inconsistent with the first part, because it contained an invective against primogeniture as being contrary to natural justice. Surely, if an institution were contrary to natural justice, it ought not to be tolerated in a civilized country? The practical effect of that Bill might not be very wide, but it was founded on the principle of the abolition of primogeniture. It took effect only in cases of intestacy, but that was its principle; and if it were passed, they must go further. People talked of primogeniture without considering what it was, just as they talked about the law of entail without having the remotest idea of what it was. Primogeniture was not, properly speaking, a law, because it was optional. A person who had landed property might leave it according to the rule of primogeniture or not, entirely as he pleased. Primogeniture was an ancient usage interwoven with the history and habits of this great country, and they could not deal with immemorial usages and customs of a great nation by a stroke of the pen. At present, primogeniture was the rule, although it was optional with people to adopt it; and what the supporters of the Bill wanted to do was to make that the exception which was now the rule, and that the rule which was now the exception. That was to say, unless a man put it in his will that his property was to go to his eldest son, the land should be divided equally among his children. It was asked, if they followed the rule of equal division in regard to one class of property, why not do so in regard to another? But the cases were perfectly dissimilar. There was a great difference between dividing a sum of money in Consols and dividing a great estate. He had faith in the permanence of primogeniture, because it was deeply rooted in the habits and thoughts of this country; and he believed that this Bill would not have much practical effect. He might be told that was a reason for passing the measure; but he repudiated the argument that they were to pass a Bill because, its principles being contrary to the public opinion, the habits, and the ancient usages of the country, it was, therefore, likely to have no effect. That was asking Parliament to make itself ridiculous. It might be imagined that there were a body of daughters and younger sons besieging the House, and begging it to consider their miserable and destitute condition while their elder brothers were rolling in wealth. But was that so? Nothing of the sort. Where were the Petitions in favour of the Bill? Gentlemen who had that crotchet in their heads had done all they could to get up an agitation against the law of primogeniture and of marriage settlement, and they had failed. That showed that the proposed change in the law was not called for in this country. At present, the only persons who were discontented with the law of primogeniture were a few theorists who did not consider the question practically, but upon a set of abstract principles which they had established for themselves. What they aimed at was some political change. They wanted to prevent what they called the accumulation of land in families. Before they did that, why did they not prevent the accumulation of money by manufacturers and merchants? If accumulation was an evil in the one case, it was the same in the other. The principle of political economy was that those accumulations should be left to themselves. They were the effect of certain natural laws, and the Legislature could not interfere with them without doing harm. Some hon. Gentlemen seem to think that the existence of large landed estates was due to an artificial law. He denied that entirely. The law of strict settlement was only that which was necessary to enable a landed proprietor, when he married, to provide for his widow and children. The law of England forbidding perpetuity, and enabling the landed proprietor to tie up his land only for one generation for the purpose of providing for his family, hit the happy medium, and could not be reproached with the blame of stimulating the accumulation of land in a few hands. Returns showed that the number of landed proprietors in this country was very great, some of them having a large and others a small amount of land; and that was the case with all kinds of wealth. With regard to the 1st clause of the Bill, it appeared to him to be so drawn as to indicate that its promoters did not expect it to pass, but must have introduced it to air their peculiar views. In conclusion, he would offer the Bill his most strenuous opposition at every point.

Mr. OSBORNE MORGAN congratulated the hon. Member for Preston (Mr. Hermon) on his manly and straightforward speech in favour of the Bill, and expressed his regret that it had not been heard by his hon. and learned Colleague (the Attorney General). He said, that as he listened to the speeches of its opponents, he thought he heard a voice from the Middle Ages. Indeed, if they wanted to defend the principle which the Bill attacked, it was to the Middle Ages they must go back; because he defied anybody to stand up in that House and say that reason, or nature, or justice required that a man's property, whether it be real, leasehold, or personal, should go to his eldest son, and that his wife and children should be left destitute. The hon. and learned Baronet the Member for Wexford (Sir George Bowyer) had talked about the natural devolution of property. Was it the natural devolution of property that the widow and younger children should be thrown penniless on the world? [Sir George Bowyer: I never said anything of the sort.] If they defended such a law, they must do so on some very cogent grounds of public policy, or not at all. In the feudal ages, when all England was a fortified camp, and all land was held on military tenure, there was a strong ground of public policy for primogeniture; and primogeniture, in some form or other, then prevailed all over Europe. But when the circumstances on which it then rested had entirely disappeared, the law was no longer defensible. Surely the rule, "*Cessante causâ, cessat ipsa lex,*" should hold good in that case? The law had been changed in most countries, but not in Conservative England. Moreover, in feudal times, the severity of primogeniture was tempered and moderated in a way in which it could not be now; because by custom, which had the force of law, the eldest son was then the protector of the family in a sense in which no eldest son could now be. By custom he was required, and almost compelled, to provide portions for his sisters. His younger brothers, too, ate at his board, slept under his roof, and fought under his banner. Dower, also, in those times was a real provision; but in later days the ingenuity of the conveyancers, seconded by the action of the Legislature, had so pared it down that it had ceased to be a provision for the widow at all. In listening to some of the opponents of the Bill, one might think it would interfere with the whole fabric of our territorial system, from the House of Lords down to the 40*s*. freeholder. Why, it would no more interfere with the House of Lords than would the Burials Bill, if that were passed. Neither would it in the least meddle with what were called family estates, which were settled from time to time as the eldest son attained 21; for the heads of such families did not get the chance of dying intestate, and if this Bill were passed to-morrow, people might go on settling and re-settling them to their hearts' content. Nor would it interfere with testamentary powers of disposition; and, with reference to this point, he would point out to the hon. and learned Baronet that it was very seldom that a man died intestate as regarded landed estate, and that instances of intestacy were much rarer in cases of real than of personal property. But there were now and then cases in which, owing to a sudden accident or illness paralyzing powers of body and mind, or to that singular superstition which seemed to possess some people and made them reluctant to make wills at all, men died intestate as regarded land. What, then, was the duty of the law? He took it that the duty of the law in such a case was to do that which nature and reason and justice required, and to give effect to the probable wishes of the dead man himself. There had been a good deal of random talk on the subject; but he might say that his experience of 16 or 17 years enabled him fully to confirm what had been said by the hon. Member for Reading (Mr. Shaw Lefevre), that in four cases out of five, small landed properties were given not to the eldest son, but to trustees to be divided among the several children and the widows. No doubt, a man might sometimes devise even a small property to his eldest son; but that would not be done very often without making some provision for the younger children in the shape of a charge, which very often placed the eldest son in a worse position than his brothers and sisters. As the law now stood, persons left their property less and less to the eldest son. With respect to any indirect effect which the Bill might have, he would only say that the fact was becoming more and more distinctly recognized that the distinction maintained between different kinds of property was essentially an artificial one. That distinction at present existed as between freehold and leasehold; but, in some cases of which he knew, the two were so completely mixed together that it was hardly possible to say which was which. If the principle of promogeniture be just and sound as regarded real estate, why should it not be just and sound in the case of personalty and leasehold? There was another point of view from which it would be recognized that the Bill conferred benefits. It would greatly facilitate the transfer of property by vesting land in the executor, who could always be found, instead of the heir, who might be at the other end of the world. But he preferred to rest his support of the Bill upon the broader ground that it would remove an anomaly, an anachronism, and an injustice; and he thought a time would come when men would merely wonder that such a change in the law should have been so long delayed and so pertinaciously resisted.

MR. LEEMAN supported the Bill, which he looked upon as perfectly just in its intention. He quite agreed with the hon. and learned Member for Denbighshire (Mr. Osborne Morgan) that the subjects of primogeniture and settlement might very well be excluded from the debate, as they had really nothing to do with the subject before the House. It was a great mistake to suppose that there was any law binding a man to leave his property to his eldest son. Primogeniture was no more than a custom—an old one, no doubt, but still only a custom—with which the Bill in no way interfered. And as regarded the law of settlement, the law would not interfere with the power of every man to make what settlement he pleased; so that arguments of that kind were wholly misplaced. The proposition of the Bill was very simple, and was one that, as a pure matter of morals and justice, no one could successfully controvert. There were occasions on which it might be most important for a man's family that he should make a will, but he would die intestate from accident or other causes; and he knew of cases within his own experience in which houses had been built on freehold land and the minerals worked out of leasehold, and where, by the lapse of time, the freehold and the leasehold had been so mixed together as to be indistinguishable. In such cases the testator would never dream of the two kinds of property becoming dissevered, and would not anticipate that on his death one kind would pass to the eldest son and the other go as personalty. Where was the fairness of that devolution? In his opinion, there was none. Now, anyone who took the trouble to examine the Doomsday Books would find that, under the state of things that had their origin in feudal times, the whole number of landowners was on the making of the first Doomsday Book 54,000; but that now, after a complete change of things, the number was nearly 1,000,000, of whom more than 750,000 had less than a single acre. In Lancashire, with a population of more than 2,000,000, there were 76,000 landowners who had less than an acre, and 12,000 who had more, making a total in that one county of 88,000 persons who held lands and would be affected by the Bill. It was to be remembered that many of the small landowners were not poor persons, but men who had built their mills and business premises on their own freehold; so that their property was often very valuable, if not very extensive in acreage. In like manner, there were in Yorkshire about 2,500,000 of population to whom the Bill would apply, and of these about 88,000 held lands—of whom some 60,000 had more than one acre. In nine cases out of ten they would never wish to leave all their real property to the eldest son; but their general custom was to provide for their younger children also from the same source. He complained that the Bill had been met by purely technical objections, and no question ought to have arisen as to what the Court of Chancery might do. Nor did the Bill in any sense interfere with the custom of primogeniture, and arguments that it would do so were wholly unsound; the Bill would only give facilities for administering real estate. The custom of gavelkind in the county of Kent had been mentioned; but no practical lawyer would lay any stress on so technical and partial an objection, and most solicitors knew that the real result of the Bill would be to effect a considerable saving of expense in conveyancing. He hoped, then, that the House would pass a Bill which would make several useful reforms in our law without being followed by any other consequences.

THE SOLICITOR GENERAL (Sir HARDINGE GIFFARD) said, that he could not concur with the hon. Gentleman the Member for York (Mr. Leeman) in thinking the Bill a practical one. It was not denied that for a great many centuries the law had remained as it now stood. He would not use expressions unintelligible to all but lawyers; and in talking about the law or custom of primogeniture, he would remark that, except to a lawyer, they were both the same thing. This law, then, of primogeniture had existed for a great length of time, and was one that affected many persons in their daily life, and was the subject of their daily experience. It was not ordinarily hidden and unknown, but something that came out, not on rare occasions, but often in the life of every family; and if, as was admitted, the feeling of the country was at present not in favour of the change which—in spite of the hon. Member for Hackney (Mr. Fawcett)—would be produced by the Bill, while the experience of centuries inclined to the existing law, then the Bill was not a practical Bill, but only the embodiment of destructive theories. The hon. Member for York had not been in his place when the hon. Member for Reading (Mr. Shaw Lefevre) had stated that, in his view, it was impossible to deal with the subject without altering the law of entail; but, as he now understood from the supporters of the Bill, it was not desired to interfere with that law. What, then, was the grievance which the Bill was intended to remedy? It seemed to have been assumed that the opponents of the Bill had ignored their grievance; while, in fact, being content with the law as it was, they had thought the Bill unnecessary. Many persons even who did not make wills were only satisfied that their property should devolve in the usual manner, so that the number of grievances by no means coincided with the number of cases of intestacy. The real question at issue was, whether real estate and personalty ought to be dealt with separately? Now, the latter had this important distinction, that it was capable of sub-division. A leasehold would yield a certain sum that might be sub-divided; but a freehold was not in the same way infinitely sub-divisible, as much of its value was derived from its aggregate form. Yet, by the 2nd section of the Bill, each person was entitled to apply to the Court for a partition. That would be the case with the small owners of

Lancashire and Yorkshire whom the hon. Gentleman had mentioned, a great part of whose estates would go in costs. The condition of landed property in this country was such that it appeared to him that the Bill would be virtually inoperative, especially as small freeholds seemed to be chiefly aimed at. After 25 years' discussion, public opinion was not in favour of the Bill, which had always been rejected by a considerable majority; and he could not see, for his own part, why the law should be altered. The hon. Member for Hackney (Mr. Fawcett) had some notion in his mind as to what was artificial and what natural; but why should primogeniture be said to be artificial, unless every disposition of property was so also? And what had the hon. Member meant by saying that his objection to the custom was that it increased the difference between the artificial and the natural? He (the Solicitor General) must deny that the present state of the law was more artificial than the system which the Bill would set up. Admitting that there was no public demand for the Bill; admitting that the existing condition of the law had prevailed for centuries, and to the advantage of the country, in maintaining a hereditary aristocracy—to use the words of a distinguished Liberal statesman; admitting that the law did not produce anything like general hardship, although there might be individual cases, in the same way as there were under the Statute of Distributions, and just as there were of persons who made wills, and yet left persons improperly provided for with reference to their actual circumstances—the demand for a change in the law appeared to be made without sufficient grounds. If the hon. Member for York had practised in the county of Kent, he would have had experience of gavelkind, which might be taken roughly to represent the principle of this Bill, and to which Sir Matthew Hale—no very aristocratic or determined upholder of the law of primogeniture, speaking from actual experience—attributed the very evils which were now described as hobgoblins. The supporters of the Bill did not adduce any of the reasons on which demands for legislation were ordinarily based. The Bill would render it impossible for real property to pass, as now, to the eldest son without the intervention of a lawyer; and it would encourage, what it had been deemed wise to prevent, the minute sub-division of estates, which might not be in many cases the most efficient mode of providing for the necessities and welfare of all the members of a family, including the eldest son, if he took his proper place as the protector and guide of those who were left behind. Of course, if a father could not trust his eldest son, he would make such a disposition as he pleased, tying up the property and making charges on the estate; but the Bill would take away the power of doing that without first consulting a lawyer, and running the risk of a Chancery suit afterwards; so that, where there was a harsh, ill-conditioned, grasping elder brother, the Bill might promote the very consequences it was intended to obviate. An alteration of the present law would be mischievous in more respects than one. It would deprive the owner of landed estate of the opportunity of following what was admitted to be the general feeling of the possession of land. It was not concealed, although supporters of the Bill expressed divergent views, that it was but a modest instalment of the change advocated by those opposed to the law of primogeniture; and in that respect, as well as in its immediate consequences, the Bill would be mischievous. Taking broader ground, it was undesirable that that which had been in a great measure the source of the greatness of this country should be got rid of by a side-wind. Lord Palmerston had said, in reference to this very Bill, that he believed the present law and the public feeling which it represented were essential to the maintenance of hereditary Monarchy and hereditary aristocracy. For all these reasons, he believed it would be mischievous to change the law, and he must, therefore, vote against the Bill.

SIR WILLIAM HARCOURT said, he was bound to do the hon. and learned Gentleman opposite the justice of saying that the description he had given of the debate, as producing no new argument, did not apply to his speech; for he had himself introduced a new argument, and one which had never been advanced previously by any lawyer or politician, when he said that the Bill would take away the vested right of a man allowing his real estate to descend to his eldest son without making a will——

THE SOLICITOR GENERAL (Sir HARDINGE GIFFARD) denied that he said anything of the kind. He had observed that that would be the logical conclusion of the argument of the hon. Member for Hackney (Mr. Fawcett); but he had added of course no one would adopt it.

SIR WILLIAM HARCOURT said, the House had heard the statement of the hon. and learned Gentleman, and his explanation; and he, for one, did not think the latter satisfactory. He understood the hon. and learned Gentleman to maintain the vested right of a man to leave his property as he wished, and to illustrate the hardship of interfering with that right by what Kent had suffered from the law of gavelkind. He was glad to hear from the hon. and learned Gentleman the true explanation of the superiority which the county of York had over the county of Kent; he never before heard that the inferiority of Kent was due to the custom of gavelkind. He supposed the hon. Member for the University of Cambridge (Mr. Beresford Hope) would confirm the statement that younger sons became very inferior in Kent, because they did not have that encouragement to seek useful careers which they had in other counties. The hon. Member was a younger son himself; he had a great many younger sons; and it was distressing to think that this custom of gavelkind should have demoralized so valuable a family. The other arguments of the hon. and learned Gentleman were not new at all; but were as old as the days of Lord Eldon, when they were used in exactly the same language. It was an old hobgoblin, that they must not do something, because if they did, they must do something else. The old argument in favour of the Bill had not been met —no attempt had been made to grapple with it—and it was, that if a man did not make a will for himself, the law ought to make a just will for him. This was what the law, as in the Statute of Distributions, did in reference to personal property, and it ought to do a similar thing in the case of realty. Would any hon. Member who was going to vote against the Bill say that if he died leaving five or six children, he would desire that all his property should go to one child? Yet, if a man possessed landed estate and died without a will, from heedlessness as to making one, the law made for him a will which, in his conscience, every hon. Member would hold to be thoroughly immoral. This was an argument in favour of the Bill which had never been answered, and it was an argument which in the end must prevail. It was idle to talk of the elder son being made a trustee for his brothers and sisters, for the law did not make him anything of the sort; and beyond that, the instances in which a man gave up what the law put in his possession were very few. What answer was there to the argument that the law made an unjust will such as no just man ought to make? The law of England ought to be a just law; it ought not to make unjust wills in respect of landed property, but it ought to deal as justly with that as with personal property, where a man had died without leaving a will.

MR. T. B. POTTER said, he was quite satisfied with the extent to which the debate had gone, and should not occupy the time of the House by replying to the arguments that had been urged against the Bill.

Question put.

The House *divided:*—Ayes 157; Noes 193: Majority 36.—(Div. List, No. 204.)

Words *added.*

Main Question, as amended, put, and *agreed to.*

Second Reading *put off* for three months.

PETTY SESSIONS CLERKS AND FINES (IRELAND) BILL.

On Motion of MR. ATTORNEY GENERAL for IRELAND, Bill to amend the Law regulating the office of Clerk of Petty Sessions, and the Law relating to Fines in Ireland; and for other purposes, *ordered* to be brought in by MR. ATTORNEY GENERAL for IRELAND and MR. JAMES LOWTHER.

Bill *presented,* and read the first time. [Bill 253.]

House adjourned at ten minutes before Six o'clock.

HOUSE OF LORDS,

Thursday, 11*th July*, 1878.

MINUTES.]—PUBLIC BILLS—*First Reading*—County of Hertford * (154); Freshwater Fish Protection * (155); Tenant Right (Ireland) * (156); Roads and Bridges (Scotland) * (157).
Second Reading—Foreign Jurisdiction * (147); Epping Forest (144).
Report—Public Health (Ireland) * (133).
Third Reading—Statute Law Revision * (114); Supreme Court of Judicature Act (Ireland), 1877, Amendment * (139), and *passed.*

THE EASTERN QUESTION—THE CONGRESS AT BERLIN.—QUESTION.

EARL GRANVILLE: I wish to ask the noble Duke the Lord President of the Council, a Question, of which I have given him private Notice. It is, Whether he can give the House any information when the Plenipotentiaries will arrive in London? With regard to the Papers in Congress, I presume they will be laid on the Table as soon as possible.

THE DUKE of RICHMOND AND GORDON: We have had no information as to the time when the British Plenipotentiaries will arrive in London; nor, indeed, when they will leave Berlin. With regard to the Papers, there is every reason to believe that the Congress will terminate its labours in the course of a few days; but, until the close of the sitting, it will be impossible to lay the Papers before the House. Certainly, no time will be lost in presenting the Papers, when it can be done so conveniently.

EPPING FOREST BILL—(No. 144.)

(*The Lord President.*)

SECOND READING.

Order of the Day for the Second Reading, read.

THE DUKE OF RICHMOND AND GORDON, in moving that the Bill be now read the second time, said, it proposed the disafforestation, the preservation, and the management of certain parts of the Forest, as a place for the recreation and enjoyment of the public, and for other purposes. This question of the inclosure of Epping Forest had been before the public now for many years. It had formed the topic of debate in the other House of Parliament, and it had also been discussed—at least, some portions of it—in the Law Courts. In former days, it was considered that the inclosing of commons and open spaces was an advantage to the community at large. It was thought that it gave an increased area for labour—it was thought that by increasing those spaces it would enlarge the acreage on which food was produced for the people; but, generally speaking, it was advocated upon the ground that the more the land was inclosed the better it would be for the public in general. In 1853, the Law Officers of the Crown advised the sale of the Forest, and that the Crown should give up the rights which it possessed over something like half the forest land, amounting to about 4,000 acres. It was thought right, by these proposals, that the lords of the manor should be able to inclose the land which they purchased; and having purchased the land, they considered they had bought all the rights, the common law rights, which belonged to that part of the Forest they had bought—and, that, therefore, they could not be disturbed in the possession of that which they had thus acquired. A considerable number of inclosures, therefore, were made. He found that some time after this occurred, public attention was called to the inclosures in various parts of the country, amongst others in Epping Forest, and in the year 1865, public attention having been so called to it, a Society was formed of Members of Parliament and others, who were interested in the matter. They formed themselves into a Society, and they called themselves the "Commons' Preservation Society." The proceedings under the inclosure of Epping Forest were brought forward at a later period by Mr. Fawcett; and in February, 1870, he carried an Address to the Crown, praying—

> "That Her Majesty will take such measures as in Her judgment she may deem most expedient, in order that Epping Forest may be preserved as an open space for the recreation and enjoyment of the public."

The matter, however, was not taken up at the moment. The Government of that day took some steps, it was true, towards carrying out the views which had been expressed in that Address, passed at the instance of Mr. Fawcett; but they were taken in a manner which was not considered satisfactory by those who were interested in the question; and, accordingly, he found that in the following year, Mr. Cowper-Temple moved the House of Commons, to the effect that—

> "It is expedient that measures be adopted, in accordance with the humble Address presented to Her Majesty in February 1870, for preserving as an open space accessible to Her Majesty's subjects, for purposes of health and recreation, those parts of Epping Forest which have not been inclosed with the assent of the Crown or by legal authority."

Mr. Cowper-Temple, not being satisfied with the steps taken by Mr. Ayrton, when First Commissioner of Works, carried his Motion in the House of Commons, contrary to the opinion and the wish of the Government, by a considerable majority. The Corporation of the City of London, which had been traditionally associated with the Forest, then took action in the interests of the City of London, inasmuch as the Metropolitan Board of Works declined to take any action in the matter, considering that they had no funds available for such a purpose. The Corporation came forward, and the proceedings which were taken by them under the Inclosure Acts were recommended by the Law Officers of the Crown. A bill was filed in Chancery by them in 1871, raising the whole question. The right which was asserted in that suit was that the Commissioners of Sewers in the City of London, suing for the Corporation, were owners and occupiers of 200 acres of land in the Forest, and were entitled, in respect of that, to the right of common pasture over all the waste lands of the Forest, and that any inclosures made within 20 years of the filing of the suit were not lawful as against the plaintiffs and other owners and occupiers of land within the Forest. The case was argued at some length, and finally the judgment of the Master of the Rolls was given, after a hearing which extended over 22 or 23 days. The judgment was in favour of the plaintiffs, his Lordship declaring that they had the rights which they claimed; and, practically, he ordered that all the illegal inclosures which had been made within the past 20 years should be laid open. The effect of the decision was that the inclosures of the lords of the manor and the two owners who were proceeded against in the suit were thrown open. There were certain portions of the Forest which had been bought and inclosed under an arrangement with persons who were assumed to have a right to confer a title to them. Upon these portions houses had been built, and pleasure-grounds laid out and inclosed. There were other portions of the ground upon which there were no buildings. Now a proposal was made that those persons who had built houses should be allowed to remain in their possession, the houses being suffered to remain where they were, upon a certain payment being made. It was felt that those who had thus purchased and inclosed portions of the Forest, not knowing that in inclosing they were acting improperly, should be dealt with in a manner different from that in which those who had made inclosures under other circumstances should be treated. The Master of the Rolls declared—and those who took the proceedings in his Court admitted the point—that a grievance would naturally be felt by those persons who had bought land in the Forest under the belief that they were buying all the common rights in the land, and not knowing at all that the rights of the common extended over the whole of the Forest, whether the part the Crown was possessed of or any other part. The Master of the Rolls recommended that the Commissioners, who had previously been appointed by Her Majesty in answer to an Address, should form a scheme dealing with the question regarding persons who had acquired land in the Forest, as they thought equitable. The matter had been under consideration in various ways for some time; but nothing had been done up till this year—at least, no real progress had been made—and it had not been possible to bring the matter to a conclusion till the present Session. It had been decided that the Corporation of the City of London should be the Conservators of the Forest, and that some quit rents should be paid by the grantees of the lands to which he had alluded. That was the case the Government had to consider at the commencement of the Session. What should they advise in the matter, and was it one they should at once take up? It appeared that if nothing were done, the old state of things would re-commence, the restraining Act passed in 1873 being about to expire, and everyone who took an interest in the matter would have deeply deplored the recurrence of the disputes and litigation which had previously gone on to such a considerable extent. Looking at the case with all its surroundings, the Government determined to go into the matter. They had accordingly introduced a Bill to which he should ask their Lordships to give a second reading; and they had, they hoped, brought about a satisfactory compromise between the different parties affected. An Arbitrator was appointed under the Bill—a gentleman of very considerable eminence; and who would, no doubt, have great weight with those upon whose claims he would be called upon to adjudicate—Sir Arthur Hobhouse. The object of the Bill, then, was two-fold. The Corporation of the City of London, which had come forward so magnificently to take charge of the Forest on behalf of the public, feeling that they were intimately connected with that part of the outskirts of London which included it, and that they ought to look after the amusements of the people, especially of those who lived in the East End of London, would have the control of the Forest. He was glad the requirements of so large a body of the people were thus to be considered, and that they would have much-needed facilities for obtaining recreation and fresh air, and the other advantages to be derived from open spaces in a great Metropolis like this. The second portion of the Bill was to quiet the titles of those innocent purchasers who had acquired land under professional advice, believing that they were acquiring land with a good title, and by no means imagining that the rights of commoners in distant parts of the Forest would affect their property. Such was the character of the Bill, and it would be seen from the remarks he had addressed to them that it was one of compromise. It had been very carefully considered. In the other House it had been discussed and considered at length. Great pains had been taken in order to prevent anything like injustice being done to any of the persons affected by the measure. He hoped their Lordships would give the Bill a second reading, and that by means of it they would be able to put an end to a condition of things of which he might say that it was not creditable to our Legislature, and enable persons living in the East End of London to benefit by having within their reach a spacious and beautiful open space.

Moved, "That the Bill be now read 2^a."—(*The Lord President.*)

Motion *agreed to;* Bill read 2^a accordingly.

INDIA—THE JAGHIRE OF BUNGANA PALLY.

MOTION FOR AN ADDRESS.

Lord STANLEY of ALDERLEY rose, pursuant to Notice, to call the attention of the House to the case of the succession to the Jaghire of Bungana Pally, and to move for Papers. He said: My Lords, the case which I propose to submit to your Lordships is one which seems to me to have strong claims on your attention, for it is the history, as I venture to think, of an act of great injustice committed by our Government on a Prince or Chief in India; and I must add that it involves an infraction of a solemn engagement entered into by our Government towards all those Princes and Chiefs. Your Lordships are aware that in India the Mussulman law regulates for the Mussulmans the succession to property; and that it has been always regarded as regulating the succession to Principalities seems to be beyond all doubt. In practice, this has been so usually, if not invariably; but if any doubt could exist that it is the rule which our Government has adopted, it would be set aside by Lord Canning's celebrated Charter, or Sunnud, as it is called, of March 11, 1862, which states—

> "Her Majesty being desirous that the Government of the several Princes and Chiefs who now govern their own territories should be perpetuated, and the representation and dignity of their Houses should be continued, in fulfilment of this desire the Sunnud is given to you, to convey to you the assurance that on failure of natural heirs, the British Government will permit and confirm any succession to your State that may be legitimate according to Mohammedan law. Be assured that nothing shall disturb the engagements thus made to you so long as your House is loyal to the Crown and faithful to the conditions of the Treaties, grants, and engagements which record its obligations to the British Government.
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> (Signed) "Canning."

It is plain that when this promise was made, it was already well understood that as long as there were natural heirs, the same law should apply equally to the rule of succession. To suppose the contrary would be to suppose that the Governor General of India was promising to be bound by their law in the rare cases where they had no family to be concerned in his decision, and yet reserved to himself the right to disregard it and to set it aside, to the prejudice of their children, and to dispose of their inheritance to a stranger. Such a supposition is so preposterous that it is plain that Lord Canning, in his Sunnud, recognized the binding effect of Mussulman law in all cases of succession to Principalities, as well where there were, as where there were not, natural heirs. I now proceed to call your Lordships' attention to the manner in which a case which fell under that law was dealt with by our authorities. The Jaghire of Bungana Pally, according to a Madras Government document, has an area of 500 square miles, a population of 35,200, and a revenue of 166,175 rupees. The Jaghirdar cannot sentence capitally and execute persons capitally convicted without reference to Government. The Predecessors of the Jaghirdars of Bungana Pally held it under the Nizam "from generation to generation." In 1800, in a cession of territory by the Nizam to the British Government, Bungana Pally was specially excepted. In 1825, Hussein Aly Khan placed himself and his State under British protection in consequence of difficulties with his creditors. In 1848, order having been restored under British administration, Hussein Aly was re-instated in the government of Bungana Pally by Sir Henry Pottinger, Governor of Madras. A draft of a Sunnud or deed of investiture was communicated to Hussein Aly Khan, conferring the Jaghire on him and his heirs. As the Madras Government had to repeal certain Acts concerning the administration of Bungana Pally, the Sunnud of investiture could not be completed that year—1848—and an order of Government was issued for reinstating Hussein Aly Khan, and the Governor General directed that the Madras Government should make the necessary arrangements for the restoration of the Jaghire, "so that no interests suffer thereby." Hussein Aly Khan died in December, 1848, before his Sunnud was completed, and it was not completed subsequently and antedated, as it ought to have been, to carry out the Governor General's direction that no interests should suffer; and this was the cause subsequently of injury to the interests of Husseiny Begum. In 1848, Gholam Aly Khan succeeded to Hussein Aly Khan as Ruler of Bungana Pally, in right of his wife, Husseiny Begum, the only child of Hussein Aly Khan, and a fresh Charter of investiture was given to Gholam Aly by the British Government. Husseiny Begum's children having died in infancy, Gholam Aly married other wives, and had three daughters. In 1862, Gholam Aly Khan received Lord Canning's Sunnud, or Charter, of March 11. This is of importance, as it shows that Lord Canning's Government considered that his Charter applied to the Ruler of Bungana Pally. In 1863, Gholam Aly Khan made the acquaintance of Nazim ud Dowleh, Nawab of Masulipatam, and gave him his eldest daughter, Shahar Banou Begum, in marriage, and made a settlement on him with the concurrence of his wife, Husseiny Begum, to the effect that if he, Gholam Aly, had no son, his son-in-law, Nazim ud Dowleh, should be to him as a son and his heir, and should succeed him in his State, and in this deed he precluded himself solemnly from any other arrangement. Gholam Aly Khan communicated the marriage of his eldest daughter and its attendant arrangements to Mr. Minchin, Collector of Kurnool, which were approved by him. Some years later, Assad Aly Khan introduced to the notice of Gholam Aly Khan a dancing woman of bad character, and through her influence Gholam Aly Khan was induced to give a second daughter of his in marriage to Futteh Aly, the son of Assad Aly Khan, and also to execute a deed of settlement naming Futteh Aly as his successor to the State, in contravention of the deed already executed by him. This last deed was kept a profound secret from Husseiny Begum and the rest of the family till after his death on October 7, 1868. Immediately after that, Assad Aly Khan and his son, Futteh Aly Khan, went to the Collector of Kurnool, Mr. Chase, and induced him to recommend Futteh Aly Khan to the Madras Government as successor. Finding that the Collector of Kurnool was recommending Futteh Aly for the succession, Husseiny Begum, with the consent of the Nawab of Masulipatam, the eldest son-in-law of her husband, put in her own claim to the succession on the 26th October, 1868, on the ground of being the only child of Hussein Aly Khan, predecessor of Gholam Aly Khan. On the 14th November, 1868, the Nawab of Masulipatam addressed the Governor of Madras as to his claim, subordinating it to that of Husseiny Begum. On the 4th December, 1868, Shahar Banou Begum, wife of the Nawab of Masulipatam, again addressed the Governor of Madras in the same sense as her husband's Memorial, and strengthening her claim by reference to her infant son, born March 22, 1868. On the 6th February, 1869, the Madras Government decided to give the succession to Futteh Aly Khan, the nephew, who was not an heir, to the exclusion of Shahar Banou Begum and her husband, the daughter and son-in-law of the deceased Ruler, and of his grandson, and to the exclusion of Husseiny Begum, the heir of Hussein Aly, the predecessor of Gholam Aly. In fact, the Madras Government Order is written as though in ignorance of the existence of the grandson of Gholam Aly Khan, and Sir John Karslake, in his opinion, expressed his surprise at this omission. This decision of the Madras Government was, virtually, that of the Governor, Lord Napier; for one of the two other Members of the Council voted againt him in favour of Husseiny Begum, and the other, though voting with the Governor, delivered an opinion in favour of Husseiny Begum. The Governor of Madras did a wrong, because, disregarding Lord Canning's Charter, and forgetful of the custom and traditions of the Indian Government, according to both of which he should have been guided by Mussulman law, he chose to be guided not by English law even, but by Scotch law, and Scotch preference for male collaterals to direct females. That this was the opinion of the Governor of Madras is plain from the words of his Minute dated November 25, 1868—

> "It may be doubted whether Imdad Husseiny Begum ever could have been regarded under the order of Government or under the intended Sunnud as the heir of her father for succession to a Jaghire as long as male collaterals, in a reasonable degree of consanguinity, were available."

It may be asked, how the Governor of Madras became entitled to set aside rights of Indian Princes for the transmission of their States, and the engagement of the British Government issued by Lord Canning? The Minute of the Governor of Madras contains other most extraordinary statements. Referring to the claim of Nazim ud Dowleh, it says—

> "His only connection with the family of Jaghirdar is by marriage with a daughter of the then existing Jaghirdar of inferior birth, to the exclusion of the brother of the Jaghirdar, his nephew, and other male heirs. I doubt whether a Nikah daughter could ever be an heir in the sense of the Sunnud."

Now, where did the Governor of Madras find any warrant for speaking of the inferior birth of the offspring of a Nikah marriage, or marriage by contract before the Kady and the witnesses. To use such language is as reasonable, or as unreasonable, as to speak of the inferior birth of the children of a marriage by banns in a parish church. The Governor of Madras introduced into his Minute the term shaadi wife, a term confined to India, of Hindoo origin, designating the first wife, on account of the rejoicings and feasting at the first marriage which cause so much extravagance and indebtedness to Hindoos and Mussulmans. My noble Friend the late Governor of Madras was in the British Embassy at Constantinople both before and after my time; it was part of his official duty there to acquaint himself with the laws of the country, and he ought to have known that such a term, and any precedence or superiority that may be supposed to be derived from it, is utterly repugnant to Mussulman law, which enjoins absolute equality amongst wives. To show this equality, Turkish lawyers say that if a man should lose two wives in the same day, he must remove one of the door-posts of his house, and knock down part of the wall to allow of the two coffins coming out abreast, and without any precedence. The Turkish legists usually take an extreme case; but there is another precedent, which must be more familiar to my noble Friend, and it is that of the twelve sons of Jacob—six were the sons of his first wife, two of his second wife, and four of his handmaids, or as the noble Earl sitting above the Gangway (the Earl of Shaftesbury) would prefer to call them, of his slaves. Yet they were all equal. If my noble Friend says that was under the Old Dispensation, I say no; that it was confirmed by the New Testament, for we are there told that the Apostles were equal, and also that they are to sit on twelve thrones judging the twelve tribes of Israel; and if the late Governor of Madras should adhere to his opinion as to the inferior birth of some of the sons of Jacob, he would have to decide which of the Apostles he would relegate to the thrones of these inferior tribes. This equality of wives is as much the rule in Persia among the Imamy Mussulmans as amongst the Sunny Mussulmans. When the Governor of Madras says that a daughter could not be an heir, he disregards the fact that this State of Bungana Pally had twice before passed through females, and he disregards the precedents of the Begums of Bhopal, and of many other female Sovereigns in India; and your Lordships will remember that the Begum of Bhopal is said to have been the first of the Indian Princes to offer her troops at the present time to the Queen. The Minute of Mr. Phillips, November 21, 1868, is in favour of Husseiny Begum, the widow of the deceased Jaghirdar, and states her to be a person of much energy of character, and all along connected with her husband in conducting the affairs of the Jaghire. Mr. Arbuthnot's Minute, dated December 7, 1868, states that he has felt considerable difficulty in forming an opinion. He agrees with the Governor in favour of the nephew, though he states the precedent of the Begum of Bhopal in favour of Husseiny Begum, whom he would have been disposed to recommend, the succession at her death to be determined hereafter. There is no trace whatever in the proceedings of the Madras Government, or in the other Papers that I have seen, of anything that could be called a political motive for the preference of Futteh Aly Khan to the rightful heirs. There is not the slightest ground for accusing the rightful heirs of want of loyalty to the Crown, the reserve contained in Lord Canning's Charter. Futteh Aly Khan was, on the contrary, the least qualified, being barely 20 years of age when vested with the Jaghire by the Madras Government; and he was under the influence of his father, whose not very reputable conduct had brought disunion into the family. There is no trace, either, in the Papers, of the Governor of Madras having taken any legal opinion before coming to his decision. The case then came before the Secretary of State for India, and the Duke of Argyll was petitioned either to reverse the decision of the Governor of Madras or to allow the case to go before the Privy Council. The Duke of Argyll took no notice of the prayer of the Petition that referred to the Privy Council, but disposed of the other prayer shortly by replying that he concurred with the Governor of Madras that arguments from Mohammedan law did not apply, when, as in this case, there was a regality. Now, where did the Duke of Argyll discover that doctrine? Certainly, not in the practice and traditions of the Company's government of India; still less under the rule established by the Queen's Proclamation of 1858, and Lord Canning's Charter sanctioned by himself as Secretary of State at the time it was issued. Could he have forgotten that Charter? I will ask leave to read to your Lordships the commentary of the noble Duke on Lord Canning's Sunnud, or Charter, which I have taken from a printed letter to the noble Duke from Mr. Emerson Dawson, dated June, 1871. He writes—

> "Your Grace wrote some few years ago 'no general principle had ever been laid down defining the circumstances' under which a doubt as to the right of succession of a Native Chief would be admitted to exist. 'Each case as it arose had been dealt with on its separate merits, and the highest authorities were constantly divided as to the abstract principle of Hindoo law and of paramount rights which should be brought to bear upon each decision.' . . . . . . 'Lord Canning accordingly suggested that the time had come when we might adopt and announce a rule in regard to succession to Native States more distinct than could be found either in our own previous practice or in that of former paramount Powers of India.' The above quoted observations, it must be admitted, express with perfect accuracy the views of Lord Canning, and describe with clearness the motives which led him to embody in two formal Sunnuds—one for the Hindoo and one for the Mohammedan Chiefs—that 'general principle,' that 'more distinct' rule in regard to the succession to Native States, which would serve to set at rest the divided opinions of the highest authorities."

I entirely concur with the writer I have just quoted, and think it would be difficult to commentate Lord Canning's Sunnuds in a manner more satisfactory to the Chiefs of India than the language of the noble Duke. But this language, together with the words of Lord Canning's Sunnud, makes it inexplicable that the noble Duke should have replied to the petitioner's Memorial on the 11th September, 1869, that—

> "The arguments derived from Mohammedan law are inapplicable when, as in the case before me, the Jaghire goes together with a regality."

Now, the noble Duke (the Duke of Argyll) not only had before him the plain words of Lord Canning's Sunnud to guide him to an opinion contrary to the one he laid down to the petitioners; but he was also cognizant of a despatch of Lord Canning's, which shows that Lord Canning intended his Sunnud and its guarantees of adherence to Mussulman law to apply to cases where a Jaghire goes with a regality. For, in the noble Duke's article in *The Edinburgh Review*, p. 481, he gives the following extract from a despatch of Lord Canning:—

> "Such an act of grace—and, in my humble opinion, of sound policy—would be an assurance to every Chief above the rank of Jaghirdar, who now governs his own territory, no matter how small it may be, or where it may be situated, or whence his authority over it may in the first instance have been derived, that the paramount Power desires to see his government perpetuated."

The mention in this despatch of Chiefs above the rank of Jaghirdar—words not contained in the Sunnud—shows that it was intended to apply to Chiefs possessing a "regality," and not to inferior Jaghires possessing no regality or jurisdiction, and which would only be of the nature of property or of a rent charge. As Lord Canning's Charter applies to the extreme case of failure of natural heirs, which in Lord Dalhousie's time was thought to justify the resumption of a State by the British Government, and as the greater contains the less, so it clearly covers those cases where there are natural heirs. I will now read to your Lordships the opinions on this case of Sir John Karslake and Mr. Benjamin, and of the Hon. J. Bruce Norton and the Hon. J. D. Mayne, both of whom have filled the post of Advocate General of the Madras Government. Sir John Karslake and Mr. Benjamin state that they are of opinion—

> "1. That the Sunnud of Lord Canning of the 11th March, 1862, is applicable to a case where the Jaghire goes together with a regality. It appears to us that the language of the Sunnud was carefully selected for the very purpose of excluding a doubt on this point. It does not profess to deal with the succession to a Jaghire as a question of property, but as one of government. It points altogether to political considerations. It announces Her Majesty's desire that the 'governments' of the several persons who now govern their own territories should be perpetuated, and the representation and dignity of the 'houses' continued, and it contains a solemn engagement of the Crown perpetual 'as long as your House is loyal to the Crown,' &c. We find not a word in the Sunnud to limit its operation and effect to the estate and property of the dependent Prince, nor even to show that it applies to estate and property. It is on its face in express words a provision for the succession to 'your State,' and we, therefore, answer to the first question, that in our opinion it was not correctly held by the Secretary of State for India that arguments derived from Mohammedan law are inapplicable when the Jaghire goes together with a regality. 2. We, therefore, answer to the second question that the succession of Fathay Aly Khan, the nephew of the deceased Gholam Aly Khan, is not a succession legitimate according to Mohammedan law, and is in contravention of Lord Canning's Sunnud, inasmuch as there was no failure of direct lineal descendants, who, both by the terms of the Sunnud, and according to Mohammedan law, have a prior right to the succession. The questions involved in the case are so much matters of law, that we quite concur in the suggestion that the claimants should endeavour, if possible, to have it referred for decision to the Judicial Committee of the Privy Council, under the 4th section of the 3rd & 4th *Will.* IV., cap. 41. As this is said to be the first case which has arisen under the Sunnud of Lord Canning, and will form an authoritative precept for future cases, it seems very desirable that the decision should be entrusted to the highest Court of Appeal for the Dependencies of the Crown.—Temple, January 24, 1871."

Mr. Norton's opinion, dated March 28, 1872, states—

> "I hold, then, that under the Sunnud, the Government cannot interfere; it has no *locus standi* for its action. The case seems to me peculiarly fitted for reference to the Privy Council. It is a pure question of law, and no State policy is involved in its decision. It stands free from the blot in the Tonk case, that it was a criminal matter; and the importance of determining whether the Sunnud of Lord Canning is to be mere waste paper or not, certainly renders the judgment of the Judicial Committee of the Privy Council most desirable."

The opinion of Mr. Mayne, then late acting Advocate General, and subsequently Advocate General of the Madras Government, dated Madras, February 23, 1869, which accompanied the Petition of Husseiny Begum to the noble Duke the Secretary of State, showed that the nephew, being neither a "natural heir" nor a successor "legitimate according to Mohammedan law," suffered under a double exclusion from the inheritance—

> "In favour of the grandson, who enjoyed both these qualifications, and that the nephew was clearly excluded from the succession by the existence of children and their descendants."

Besides these opinions of English lawyers, the claimants have to support them the opinions of several of the most distinguished legists of India, of the Imamy or Shiah rite residing at Kerbela, in Turkish Arabia, to the effect that the daughter and grandchild of the deceased must succeed him to his whole estate, to the exclusion of his nephew, a distant collateral. These opinions were registered in the British Consulate at Bagdad. The question arises, after hearing these legal opinions, why the noble Duke decided to uphold the decision of the Madras Government, which was not unanimous, in preference to carrying out the intentions of the Queen's Proclamation, and the engagements of Lord Canning's Sunnud, and why he made the Act of William IV. a dead letter, and closed the Judicial Committee of the Privy Council to a question of law? If it be said that the question is not one of private right but of State, and, therefore, that the Executive cannot consent to refer such a question to a Court of Law, it should suffice to answer that the Privy Council is not a mere Court of Law; the Judicial Committee of it may be; but the Privy Council advises the Queen on all questions, and it might find it convenient to refer such a question as this to its Judicial Committee. But it is begging the question to say that the matter is political. It resembles exactly the question of title to a manor where, besides property, the lord had in old times jurisdiction of a judicial kind, both civil and criminal. It is also said that Lord Canning's Sunnud was merely a revulsion of feeling and a retractation of policy, after the experience of the bad effects of the policy of annexation of Lord Dalhousie; and that it merely meant that the British Government would not annex or resume any States, or become itself a gainer by the death of a Ruler or Chief. The commentary of the noble Duke (the Duke of Argyll) shows that in his mind it meant more than that, and that it was intended to give security to the Rulers and Chiefs of India that their succession would not be interfered with. But Lord Canning's Sunnud was much more than that—it is the Charter of the Princes of India and the basis and foundation of the Empire of India. Without it, and without the observance of it, the word paramount Power is a word devoid of sense, and England could only be the strongest or supreme Power in India. No Government likes to repose on force only. After the Norman Conquest of England, William did not rely upon his conquest by force of arms alone, but claimed to hold England by his rights derived from Edward the Confessor and the broken oath of Harold. Up to the time of the Mutiny and the abolition of the East Indian Company, British rule in India was based upon its being the vakil or deputy of the Great Mogul, through which it could claim to be the paramount Power. After the dynasty of the Great Mogul had been swept away, and the last of the dynasty had died in captivity, that legal basis of the British rule was swept away at the same time, and it became necessary to find another; and such a basis for a paramount Power and for an Empire of India was supplied by Lord Canning's Sunnud supplementing the Queen's Proclamation, which, being accepted by the Princes and Chiefs of India, became a contract between them and the Sovereign of England, establishing Her Majesty as the paramount Power in India. It follows, therefore, that any attempt to make Lord Canning's Sunnud of no effect, or to detract from it, would be to undermine the basis of the Empire of India. So that the more faithfully the Government observes and respects Lord Canning's Sunnud, the more will it strengthen itself in the minds and affections of the Rulers and Chiefs of India; and it is impossible to fail to observe it in the case of a small State, such as the one in question, without causing a feeling of insecurity and distress in the minds of all the other Rulers. In July of last year, when I intended to have brought this case before the House, *The Contemporary Review* of that month contained the following passage:—

> "There is at least one doctrine of International morality which really is accepted and universally acknowledged to be binding—and

that is the obligation of abiding by the faith of Treaties."

These words were signed by the Duke of Argyll, and he will not maintain that an engagement spontaneously offered by the British Government is not as binding as a bilateral Treaty. In all that I have now put forward, I am only asking the noble Duke (the Duke of Argyll) to act in consistency with his published commentary on Lord Canning's Sunnud, and to follow the precedent which he himself set in a case which is similar to this of Bungana Pally, only that it concerned a Hindoo Chief. What the noble Duke did in that case is well described by the author of *Blue Pamphlet*—

> "The re-opening of the case of the Rajah of Kapurtala's father's will, after a lapse of 13 years, and the setting aside of a decision of Lord Canning, given in open durbar without the orders of the Home Government, raised a feeling of such extreme consternation in the minds of all the Chiefs of the Punjaub and Oude that it would be impossible to magnify it. It would almost seem as if Sir John Lawrence conceived that he had a special mission from the Crown to uproot the very foundations of the new Empire laid by the great and good Lord Canning, with such determination did his Government try to run counter to this policy. But, in this instance, Great Britain was fortunate in having a statesman at the head of the India Office who could sacrifice his personal views to the interests of the State, and who preferred to uphold the honour of his Queen and the integrity of her Viceroy's solemn engagements with a distinguished and faithful vassal of the Crown, to obstinately adhering to a policy which Her Majesty's Government had 10 years previously abandoned as unwise and untenable. The Duke of Argyll decided that the orders of Lord Canning were inviolable and must stand; and this decision was most honourable to the Duke of Argyll. His Grace stands in the peculiar position of being the sole English statesman who had publicly expressed his views on the Indian administration of Lords Dalhousie and Canning. These were as strongly in favour of Lord Dalhousie's policy as opposed to that of Lord Canning; and a weaker man and a statesman of less high-principled integrity and honesty, having the whole weight of the Government of India in Council on his side, might have hesitated before he consented to interpose his authority to stop the dismemberment of an ancient Principality and the weakening of that one Native Chief who took the field in person and fought at the head of his troops in our defence in 1857. Not so the Duke of Argyll; he at once made up his mind to sacrifice his own opinions rather than break the pledged faith of the British Government, and he has his reward."

If the length of time that has elapsed since this claim arose be alleged as a reason for not considering it, I would ask the House to remember that this is not the fault of the Petitioners. A Petition to the other House of Parliament was prepared by the claimant; but it was not presented, owing to the difficulty of getting a hearing and a Member of the other House to present the Petition. These difficulties, and the unfitness of either House for such discussions, are additional proofs in favour of referring such claims to the Privy Council. I will ask leave to read a letter of Mr. Fawcett explaining his reasons for refusing to present the Petition. It does him great honour, and shows better than any words of my own the difficulties and objections to Indian claimants being driven to seek redress from Parliament.

> "The Lawn, South Lambeth Road,
> "June 11, 1876.
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> "I am sorry to say that my husband (Mr. Fawcett, M.P.) feels unable to do anything in the case of the Jaghire of Bungana Pally. He has always been particularly careful not to identify himself with any of the disputed rights or claims by Native Princes of India. They are generally persons of great wealth, and it is almost impossible for a poor man like my husband to take up their case in Parliament without incurring the suspicion of being a paid agent. This is the real reason which makes him avoid all these cases. He wishes to keep himself free to speak in what he believes to be the interests of the poor or friendless populations of India.
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> (Signed) "M. G. FAWCETT."

Mr. Fawcett need not have felt such a fear in this case, for it appears that the claimant is in a state of poverty. The Duke of Argyll had directed that a suitable provision should be made for the claimants, but it does not appear that this has been done. I am, aware, however, of the greater difficulty caused by time in settling a case of this nature; not that anything like a Statute of Limitation applies, but because when many years have passed after a wrong decision has been taken, it is as difficult for a Government to reverse it as to reverse a confiscation without a fresh injury to third parties. But this year I am in a better position than when I gave Notice last year to bring this matter before the House to ask the Secretary of State for India for redress; for since that time the Nawab of Masulipatam has proposed on behalf of his son, the grandson of Gholam Aly, the late Jaghirdar, a compromise, or terms of compensation. These terms consist of—1, a promise and assurance from the Government to recognize his son as next successor to the Jaghire of Bungana Pally after the death of Futteh Aly Khan, the present holder of the Jaghire; 2, the assignment and making over now the two villages of Chunchalamala and Nundiwar for the maintenance of his son until he succeeds to the Jaghire; 3, a similar and equivalent assignment for the maintenance of the family of Futteh Aly Khan at his death. I hope that I may have succeeded in convincing your Lordships of what I stated at the outset—that a great injustice had been done to the rightful heirs to the State of Bungana Pally, and that this injustice carries with it evil consequences, extending far beyond the circle of those more immediately injured by it, since it is a breach of the promise contained in Lord Canning's Charter, and it must give a feeling of insecurity to the Princes of India, and diminish that confidence which ought to be felt in the solemn engagements of the British Government. It does not often happen that an injustice can be remedied, for official arguments are many and plausible against rescinding an official decision. But, in this case, in consequence of the compromise that has been offered by the aggrieved parties, the difficulties have been greatly removed, and the usual arguments do not apply, since the Government is not asked to upset what has been done, however erroneously, by its Predecessors, but only to take a new departure when, in the course of nature, an occasion for it will present itself; and I sincerely hope that the Secretary of State will see his way to accepting the compromise which I have laid before him.

Moved, That an humble Address be presented to Her Majesty for Papers relating to the case of the Succession to the Jaghire of Bungana Pally.—(*The Lord Stanley of Alderley*).

VISCOUNT CRANBROOK said, if he supposed that what had been done by the Government of Madras, and confirmed by the noble Duke (the Duke of Argyll), was what the noble Lord assumed, a great injustice, then he might be prepared to listen to a compromise, though it would be against all rule to refer the matter to the Judicial Committee of the Privy Council. But, on the contrary, he had come to the conclusion that the decision of the Government of Madras, confirmed as it was by the noble Duke (the Duke of Argyll), was one which ought to be maintained on grounds of policy and reason. He could not conceive anything more detrimental to the interests of India than that persons who thought they had claims in regard to these Principalities should be encouraged to hang about the Houses of Parliament for the purpose of upsetting decisions given long ago, and thereby inevitably putting themselves into a position which could only lead to misery and want. This was really a very simple case. Hussein Ali Khan was Jaghirdar of Bungana Pally, who died in 1848, leaving behind him a daughter. On his death, the Madras Government appointed his nephew, Gholam Ali Khan, to succeed him in the Jaghirdar, and he succeeded without any remonstrance, and remained in possession till his death, in 1868. No doubt, Gholam Ali Khan married Hussein Ali's daughter; but there was nothing whatever in the appointment of the Madras Government in 1848, recognizing her rights, nor was there anything in the Mahomedan law of succession which would give her any. He had looked into the question of Mahomedan succession to Regalities, and he found that there was practically no such thing as a settled law on the subject. Different customs prevailed in different parts; but he was unable to find any instance where the female had succeeded by a law, and in this case there was no attempt to obtain the succession for the female. Gholam Ali Khan remained Jaghirdar till 1868. He had made another marriage which was said to be a nickah or left-handed one; but he need not discuss that question, for the circumstances were not altered by the question of whether or not that was a legitimate marriage. Three daughters were left by this marriage, one of whom was married to a stranger, Nazim ud Dowlegh, Nawab of Masulipatam, who, it was said, he engaged to make his successor. But if he did so, he had no authority, and in order to make the succession valid, it would have been necessary to obtain the consent of the British Government, and that was not even asked for. After this, another of the daughters was married to Futteh

Ali Khan, his nephew, and with him Gholam made a similar engagement in reference to the succession of the Jaghire, only with this difference—that he called in the Collector of this district, who witnessed the document, and Futteh was afterwards presented to the Governor of Madras and accepted as his heir, although he might have previously named the Nazim ud Dowlegh. Therefore, Futteh stood in precisely the same position as Gholam had stood in 1848, and, as in the case of Gholam, he had the approval of the Government. Their Lordships had, therefore, a different set of circumstances to what his noble Friend (Lord Stanley of Alderley) had led them to suppose. These were matters of policy as well as usage, and the Government, among other things, had a right to consider who was the person best adapted from the various circumstances to carry on the government of the Principality. So far as he was aware, there had been no complaint of the state of the country. The new Ruler had been well received by the Mahomedans, and the country had prospered under his rule. This was now seven years ago. The decision of the Madras Government came home in 1869, when it was confirmed by the noble Duke (the Duke of Argyll). The circumstances quoted by the noble Lord only showed the desire of the noble Duke (the Duke of Argyll) to do justice in all matters; and the greater stress, therefore, was to be laid on his decision. He did not propose to lay any Papers on the Table, inasmuch as he thought it very undesirable to keep alive this sort of controversy. He went into this matter with a thoroughly unprejudiced mind, and yet he had formed a strong opinion that it was most desirable to maintain what the noble Duke (the Duke of Argyll) had done. The succession in this case was in accordance with Mahomedan usage; and, considering that there had been no complaint on the part of the people, he trusted their Lordships would not think it necessary further to interfere in the matter.

Lord NAPIER and ETTRICK said, as this was a matter which was connected with the Madras Government—a matter which affected one of their decisions when he had the honour to be connected with it—it might be becoming that he should address a few words to their Lordships in confirmation of what had been said by the Secretary of State for India. Bungana Pally was a small Dependency with an independent Government, which, however, was not transferable without the sanction of the permanent Power in that part of India. When he had the honour of undertaking the Government of Madras, a gentleman named Gholam Ali Khan, who had married a daughter of the previous Ruler, was the Jaghire. The motives which seemed to have actuated the Government in giving him the Jaghirdar seemed to be—first, that he was in close relationship with the previous Jaghire; secondly, that he had married his daughter; and, thirdly, that he was a man eminently to be preferred over other claimants for various reasons, but principally for his irreproachable character. During the time that he was at Madras, Gholam Ali Khan died, and the question of succession became imminent. There were before the Government of Madras three persons who might be supposed to raise some species of legitimate claim. In the first place, there was the widow; and, in the next place, there were the daughters, one of whom was married to a gentleman of distinguished lineage, in an adjacent Province; another was married to a nephew of the deceased; and a third was since dead. The Government of Madras being very anxious to enlighten themselves as to the claims, or pretensions, of the rival candidates, consulted a gentleman who was eminently capable of giving them an opinion on the question, and who was learned in the history, the laws, and the usages of the Mussulmans; and that gentleman submitted an interesting memorandum on the subject. If this had been simply a question as to the devolution of ordinary property, he supposed the Government would have consulted their own Law Officers; but it was not such a question. It was a question of succession which, as the noble Viscount the Secretary of State for India had said, was not governed by any consistent or distinct Mahomedan law. In these circumstances, the Government of Madras selected the gentleman to whom he had referred; and his Report and opinion, combined with the former decision, excluded, in the mind and view of that Government, the widow altogether. The question, then, was whether the husband of the elder daughter, or whether the nephew who had married the second daughter, should be selected? And the Report, to which he had alluded, having been discussed in Council in the most full and conscientious manner, the Government decided, by a majority, that it was most consistent with Mussulman law and usage that the Jaghire should devolve upon the nephew of the last possessor. While this decision was arrived at, there could be no doubt that the case of the widow excited a considerable amount of sympathy in the minds of members of the Council. It was always painful to find a widow dispossessed of the home which she had inhabited for a length of time, and to see another—nearly related, certainly, but still occupying only a collateral position—coming into possession. This was one of those misfortunes, however, which was perfectly familiar in our own country, and which must happen in India, as it did here. He knew that it was always the intention of the Government of Madras to make suitable provision for the widow, and he had every reason to believe that that had been done, although he must confess that his noble Friend had cast some doubt upon the point. If no provision had yet been made, he hoped it would be afforded without delay. But he thought he had said enough to satisfy their Lordships that substantial justice had been done in the case which had been brought under their notice.

LORD STANLEY OF ALDERLEY said, in reply, that he regretted that his noble Friend the Secretary of State (Viscount Cranbrook) did not take the view he (Lord Stanley of Alderley) had hoped for of this case. His noble Friend had been entirely misled as to Nikah marriages, which were the highest forms of marriages by contract, and he would ask him to name the authority he had referred to, or if he would not do that, to guard against such an adviser, or else he would lead the India Office to a catastrophe. Next Session, he (Lord Stanley of Alderley) would submit to their Lordships a Resolution to the effect that doubtful cases of succession, involving no preponderating political considerations or criminal elements, ought to be submitted to the Privy Council.

Motion (by leave of the House) *withdrawn.*

ISLAND OF CYPRUS—SLAVERY.

QUESTION. OBSERVATIONS.

THE EARL OF SHAFTESBURY: My Lords, I rise to ask the noble Duke the Lord President of the Council, Whether it is the intention of Her Majesty's Government, on assuming the occupation and administration of Cyprus, to maintain or suppress, as has been done in Her Majesty's Dominions in India, the system of slavery now existing in the Island? The Question is not, I think, inappropriate, for it refers to the subject of slavery, in which the people of this country have always taken the deepest interest. I may be told, generally, that the Governor of Cyprus has already been appointed, and that at this moment he is, in all probability, receiving instructions from Her Majesty's Ministers; but that would not, I conceive, be a sufficient answer to the Question. Nor do I think I can be asked to receive, and to be content with, a reply to the effect that the occupation and administration of the Island will be only temporary. That issue will depend upon the policy of Russia. I see by reference to Clause 6 in the "Annex" of the Convention between England and Turkey, that unless Kars and other towns be evacuated by Russia, Cyprus will not be restored to the possession of the Ottoman Porte. It is, therefore, clear that if the Russian Government persist in holding Kars and those other towns in perpetuity, England will hold Cyprus in perpetuity. That being the case, I beg to ask my noble Friend the Question which I have indicated.

LORD STANLEY OF ALDERLEY said, he hoped the Lord President would say that the Question was premature, for we had not yet got Cyprus, and it depended on the Russians whether we had it or not. From the noble Earl's Question, it appeared that he thought slaves were employed to till the fields in Cyprus. This was not the case in Cyprus, nor in any part of the Ottoman Empire, and the family arrangements of the inhabitants ought not to be interfered with. He had the highest respect for the noble Earl, and for the services which he had rendered to the country, and he hoped that the noble Earl would not take anything he said as wanting in respect to him; but he thought that, on philanthropic grounds, the noble Earl should have asked the Government, and he would ask—though, as he had given no Notice of his Question, he did not expect an answer—he would ask Her Majesty's Government not to extend to Cyprus the Contagious Diseases (Women's) Act, with its concomitant establishments?

THE DUKE OF RICHMOND AND GORDON: I can have no possible objection to the course which the noble Earl (the Earl of Shaftesbury) has followed in putting a Question to Her Majesty's Government on this subject, considering the great interest which he has always taken in all matters connected with slavery. In reply to the noble Earl, I have to state that Sir Garnet Wolesley leaves this country to-morrow for Cyprus; and when he arrives there, it will be his duty to make full inquiry and investigation into all the institutions of the Island and everything connected with them. When that is done, he will make a Report to Her Majesty's Government as to the state of things which he has found in Cyprus; and, having received such a Report from him, Her Majesty's Government will then be in a position to state the course which they intend to take.

EARL GRANVILLE: May I ask my noble Friend a Question on another point, in regard to which there appears to be some doubt in the public mind? The point is one of importance; and I hope it has been carefully considered by Her Majesty's Government. My Question is—Can the noble Duke inform us whether or not there is any harbour at Cyprus?

THE EARL OF KIMBERLEY: I presume that before the noble Duke answers that Question it will not be out of Order to allude to the reply which he gave to my noble Friend on my right (the Earl of Shaftesbury). I regard that reply as in the last degree unsatisfactory. No doubt, it is perfectly natural and proper that the Government should suspend a determination as to the particular mode of action which they should follow until they are fully acquainted with the condition of Cyprus; but I cannot conceive why any British Government should hesitate for one moment to state generally that they do not intend to follow or to adopt any step in the direction of slavery in any territory which is to be under their administration. I confess that I heard the statement of the noble Duke the Lord President of the Council with regret; but I hope he will give us some re-assurance on the subject.

THE DUKE OF RICHMOND AND GORDON: The noble Earl opposite (Earl Granville) has asked me whether there is a harbour at Cyprus? I believe there is no harbour in the large or extended sense of the word; but there are excellent roadsteads. With regard to the question of slavery, I should have thought that the conduct of Her Majesty's Government since they have been in Office—looking to the action which they took with the Sultan of Zanzibar, and to the Convention which was signed in Egypt on this subject—has afforded sufficient indication that they are as much opposed to slavery as the noble Earl, or any other Member of your Lordships' House.

House adjourned at a quarter before
Seven o'clock, till To-morrow,
half past Ten o'clock.

HOUSE OF COMMONS,

Thursday, 11th July, 1878.

MINUTES.]—PRIVATE BILL (*by Order*)—East London Railway (Payment of Debts), read 2°

PUBLIC BILLS—*Ordered—First Reading*—Police Expenses Act Continuance* [256].

Considered as amended—Sale of Intoxicating Liquors on Sunday (Ireland) [215].

Considered as amended—Third Reading—Truro Chapter* [234], and *passed.*

Withdrawn—Grand Jury Law Amendment (Ireland)* [120].

PRIVATE BUSINESS.

EAST LONDON RAILWAY (PAYMENT OF DEBTS) BILL (*by Order*).

SECOND READING.

Order for Second Reading read.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Sir Charles Forster.*)

Mr. RAIKES: I feel bound to call the attention of the House to this Bill, which is, perhaps, not so important in itself, as the departure which it embodies from the usual practice of this House. Before stating the nature of the points which I wish to bring before the House, I must say that I regard with extreme surprise the absence from the House on this occasion of both of the hon. Members who have made themselves responsible for this Bill. I certainly expected that the House would have been put in complete possession of the facts in regard to the Bill, either by the hon. Member for Hythe (Sir Edward Watkin) or the right Member for Sandwich (Mr. Knatchbull-Hugessen), both of whom are connected with the Company who are interested in promoting the Bill. I feel that the House will, to a certain extent, be placed at a disadvantage in dealing with the Bill in their absence. It was with great scruple and reluctance that I gave my consent to the introduction of this Bill as Chairman of Ways and Means. That consent became necessary because, owing to the lateness of the period of the Session at which the Bill came forward for second reading, the ordinary Notices had to be dispensed with. The measure is of some importance, and it affects, to a very considerable extent, the interests of an important Railway in this Metropolis. It has been brought before the House, as I have said, at a late period of the Session, when it can only be by the indulgence of this and the other House of Parliament that such a measure could become law. With regard to the measure itself, I have no wish to go into the past history of this Railway. It does not appear, up to the present time, to have been a fortunate line, and I believe that very large liabilities have been incurred by the Company. In order to meet these liabilities, considerable obligations have, from time to time, been incurred by the late Board of Directors. At the present moment we are, it is to be hoped, at a new point of departure in the fortunes of the Company, inasmuch as a new Board of Directors has come into existence, which is presided over by the hon. Member for Hythe (Sir Edward Watkin), whose singular dexterity in matters relating to the management of railways is acknowledged by everyone. The present Bill proposes to take power for raising a loan by the Company, in order to enable it to clear off its existing liabilities; and I wish to point out that a very unusual course has been taken in regard to the money which it is proposed to raise. £120,000 is the sum which it is proposed by this Bill to raise. That sum of £120,000 is to be repaid by the 31st of December, 1880, or within a year and a-half of the present time; and the persons from whom it is to be borrowed are to receive a premium of 20 per cent upon every £100 subscribed, in addition to a dividend at the rate of 5 per cent upon every £100 share. Consequently, the House will see that the payments in regard to this borrowed money will amount to something like 27½ per cent altogether for the loan of this money for the short period of a year and a-half. That, I believe, is a very unusual thing in regard to railway finance, and requires, I think, the careful consideration of this House. There is another point in the Bill which is also, I think, deserving of consideration, and that is the fact that it is proposed that the repayment of the money which it is intended to borrow shall constitute a first charge — not merely upon the undertaking and upon the revenue of the Company, but also upon all the property of the Company. That is an arrangement which, if not absolutely unprecedented, is almost unprecedented, in the history of railway legislation. This being so, we are asked to do an act of exceptional favour towards the promoters of the Bill by admitting the Bill to the consideration of the House at this late period of the Session. If there had been absolutely no precedent for such a step, I should not have felt it compatible with my duty to advise the House to take that course; but I find that some years ago the Great Eastern Railway Bill was allowed, under somewhat similar circumstances, having reference to a financial arrangement, to dispense with the Standing Orders, and to introduce a Bill at a very late period of the Session; and the same course was subsequently taken with regard to a Bill promoted by the London, Chatham, and Dover Railway Company. That being the case, I considered that it would not be wrong to allow the Standing Orders to be dispensed with in this instance, so that the Bill might have an opportunity of being considered by the House. I was further induced to take that course by the fact that I understand the money has already been subscribed, and that at the meeting which has been held of the shareholders, there was an unanimous approbation of the Bill. I understand that the debenture holders, who are most seriously compromised by the proposal, assented to it almost unanimously. I believe, in the proportion of 11 out of 12, an express assent was given to the Bill. Under these circumstances, I felt that the House would probably agree to allow the Bill, at all events, to come to the light, and to undergo that investigation which the forms of this House prescribe in the case of Private Bills. I see that the right hon. Member for Sandwich (Mr. Knatchbull-Hugessen) is now in his place. It is unnecessary to repeat what I have already stated; but I may be allowed to add that I am not disposed to object to the second reading of the Bill. At the same time, I should be glad to hear any opinions which may be expressed by hon. Members on the subject. But if the House is prepared to read the Bill a second time, I should feel it my duty, as soon as the time for petitioning has expired, to propose to refer the measure to a Select Committee, a certain number of which should be nominated by the House and the remainder by the Committee of Selection. A similar course has been taken in reference to the Tasmanian Railway Bill and the European Assurance Bill. Those Bills were carefully considered by Select Committees so constituted, and they were very largely amended, to the advantage, I think, not only of the shareholders, but of the general public. I mention that matter because, having regard to the fact that the debenture holders are in favour of the Bill, they are not likely to present a Petition against it, and in that case the measure might come, as a matter of course, before the Chairman of Ways and Means as the Committee on Unopposed Bills; and I should certainly not be willing to accept the sole responsibility of dealing with the measure without having previously brought the circumstances of the case under the notice of the House. I am desirous, therefore, that a strong Committee should be appointed which should examine the measure; and I think that the House will, under the circumstances, having regard to the interests involved and the unanimity of the persons who are most largely concerned in the matter, allow the Bill to proceed, so as to insure that it shall go before a Committee. Of course, it is not for me to say what further objections may be raised against the measure eventually; but I must repeat what I said at the beginning of my remarks, that I think when a course so exceptional is proposed to be taken in regard to a Private Bill, it is necessary that the House should not be left in ignorance of the whole circumstances of the case, and of the objects which the promoters of the Bill have in view.

Mr. KNATCHBULL-HUGESSEN wished to apologize to his hon. Friend the Chairman of the Committee of Ways and Means, and also to the House, for the accident which had caused him to be a few minutes late and had prevented him from being in his place when the Bill was called on. The House would naturally arrive at the conclusion that if this were not a very exceptional case, they would not be now, on the 11th of July, debating the second reading of such a Bill as the present. The circumstances, however, were so exceptional, that the House might well be induced to suspend its Standing Orders and to read the Bill a second time. He ventured to submit that the Standing Orders of the House, wise and proper as they were for regulating the Business of the House and protecting the public against legislative surprises, would become simply acts of tyranny if, in cases of emergency, when important interests were deeply affected, there were not provisions for suspending them. By too much stringency in the observance of the Standing Orders they would cease to be instruments for the protection of

PRIVATE BUSINESS.

* * *

EAST LONDON RAILWAY (PAYMENT OF DEBTS) BILL (*by Order*).

SECOND READING.

Order for Second Reading read.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Sir Charles Forster.*)

Mr. RAIKES: I feel bound to call the attention of the House to this Bill, which is, perhaps, not so important in itself, as the departure which it embodies from the usual practice of this House. Before stating the nature of the points which I wish to bring before the House, I must say that I regard with extreme surprise the absence from the House on this occasion of both of the hon. Members who have made themselves responsible for this Bill. I certainly expected that the House would have been put in complete possession of the facts in regard to the Bill, either by the hon. Member for Hythe (Sir Edward Watkin) or the right Member for Sandwich (Mr. Knatchbull-Hugessen), both of whom are connected with the Company who are interested in promoting the Bill. I feel that the House will, to a certain extent, be placed at a disadvantage in dealing with the Bill in their absence. 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Of course, it is not for me to say what further objections may be raised against the measure eventually; but I must repeat what I said at the beginning of my remarks, that I think when a course so exceptional is proposed to be taken in regard to a Private Bill, it is necessary that the House should not be left in ignorance of the whole circumstances of the case, and of the objects which the promoters of the Bill have in view.

MR. KNATCHBULL-HUGESSEN wished to apologize to his hon. Friend the Chairman of the Committee of Ways and Means, and also to the House, for the accident which had caused him to be a few minutes late and had prevented him from being in his place when the Bill was called on. The House would naturally arrive at the conclusion that if this were not a very exceptional case, they would not be now, on the 11th of July, debating the second reading of such a Bill as the present. The circumstances, however, were so exceptional, that the House might well be induced to suspend its Standing Orders and to read the Bill a second time. He ventured to submit that the Standing Orders of the House, wise and proper as they were for regulating the Business of the House and protecting the public against legislative surprises, would become simply acts of tyranny if, in cases of emergency, when important interests were deeply affected, there were not provisions for suspending them. By too much stringency in the observance of the Standing Orders they would cease to be instruments for the protection of the public, and would become instruments of oppression. What was the case in regard to the present Bill? The affairs of this unfortunate Company had got into a very bad state, although it was not through any fault on the part of the Company themselves. They saw before them nothing but financial disaster, unless there was a total change of management, and some new course were opened which gave a promise of improvement. They had now formed a new Board of Directors. He might say that he himself had been requested to go upon that Board of Directors, and he had consented, because he believed that properly developed, and by acting in a friendly manner in regard to other Railway Companies, this line of railway might succeed in retrieving its position, and would become an important link in the metropolitan railway system. But in order to give the Directors any hope of being able to improve the affairs of the Company, it was necessary, in the first instance, that they should pay off all their debts. As had been mentioned by his hon. Friend the Chairman of Ways and Means, the object of the present Bill was to raise a sum of money that would enable the Company to pay off their debts, so that they might start clear in regard to their future operations. He entertained no objection to the Bill being referred to a Special Committee, as proposed by his hon. Friend, and he was ready to concur with any reasonable proposition that might be submitted to the House. But with regard to the second reading of the Bill, he felt that the House could not do wrong by allowing the Bill to proceed. The only parties concerned were the shareholders of the East London Railway Company, and they had already given a direct approval of the provisions of the Bill. They simply desired to pay off their debts in full—in fact, to pay 20*s.* in the pound—and they asked for the sanction of Parliament to enable them to perform an act of honesty. If that Parliamentary sanction were refused, and they were not allowed to raise this money in the manner in which they proposed, and which they believed would be of benefit to the public, the future prospects of the Company and of their creditors would be very small indeed. At the same time, he fully admitted, with his hon. Friend the Chairman of Ways and Means, that these were matters which might very rightly and very properly be referred to a Select Committee of the House. His hon. Friend, who was the rigid guardian of the Orders of the House, and who scrutinized carefully any proposal made to it in a Private Bill, would have stopped the progress of the Bill at once, if he had not felt that there were substantial grounds for allowing it to be read a second time. His hon. Friend did not object to the second reading of the Bill; and, under the circumstances, he (Mr. Knatchbull-Hugessen) thought that the wisest and most respectful course he could take was to ask the House to follow the advice of his hon. Friend, and to read the Bill a second time. Contenting himself with these few observations, he would simply express a hope that no obstacle would be placed in the way of the progress of the Bill; but that the Company, by means of this measure, would be enabled to pursue the effort they were making to clear themselves of debt. As it was a case of great emergency, he thought it only right that the Standing Orders of the House, which applied to ordinary cases, should have been suspended.

Sir JOSEPH M'KENNA expressed his approval of the observations which had been made by the hon. Gentleman the Chairman of Committees. The hon. Gentleman had placed before what happened to be a very thin House at the time what appeared to him (Sir Joseph M'Kenna) to be the salient objections to the further progress of the Bill being silently assented to, and to the necessity of some strong expression of opinion upon the Motion for the second reading of the measure. The Bill itself was a Bill to enable the directors of a Joint Stock Company to raise money at something like the rate of 15 or 16 per cent per annum, and to close it at that rate by giving under this Bill a first charge upon the property of the Company to those who were about to advance the money. He ventured to say that that was a provision in a Private Bill which was altogether without a precedent. The hon. Gentleman the Chairman of the Committee of Ways and Means said he was informed —for the hon. Gentleman could only have made such a statement on information—that the money was already subscribed for; and he (Sir Joseph M'Kenna) had no doubt that it had already been subscribed for. He believed that a capital of £1,500,000 had been laid out upon the East London Railway, and the House was asked to sanction the creation of a rent-charge to enable persons who advanced a sum of £120,000 as a first charge upon this £1,500,000 worth of property, to receive something like 16 per cent per annum. It was further to be borne in mind that the money was only to be advanced until the end of the year after next. He ventured to say that such a proposition as that had never yet received the sanction of the House. He did not mean to say that the hon. Gentleman the Chairman of Committees, having, as he had all along, the power of bringing, as he had now done, in a fair and temperate manner the merits of the Bill before the House—he did not mean to say that the hon. Gentleman was not justified in giving a sanction that enabled the promoters of the Bill to appear before the House that day in furtherance of the measure. He did not call in question the course taken by the hon. Gentleman in any shape; but he really thought that if the House had heard the statement made by the hon. Gentleman, they would hesitate before they gave their sanction to the second reading of the Bill. He (Sir Joseph M'Kenna) had no interest, either directly or indirectly, in throwing out the Bill. He conceived it possible that sacrifices ought to be made on special occasions for the purpose of raising money in a particular exigency for the use of a railway company or any other company; but such extravagant and exorbitant terms as were offered in this instance he ventured to think nobody ever heard of being embodied in an Act of Parliament before. He had only to express a hope that if the House passed the second reading of the Bill, they would clearly understand what the measure was to which they were giving their sanction. He would content himself with making these observations, and would not propose the rejection of the Bill; because he apprehended that that was a course which had better be taken, if taken at all, by some person who was more interested in the matter than he was. He had only spoken in the interests of the public, and in the discharge of his duties as a Member of the House.

Motion *agreed to.*

Bill read a second time, and *committed.*

QUESTIONS.

DUBLIN, WICKLOW, AND WEXFORD RAILWAY.—QUESTION.

Mr. M. BROOKS asked the President of the Board of Trade, If he has any objection to inform the House whether, beside sending a Copy of Major General Hutchinson's Report of 11th April, to the Directors of the Dublin, Wicklow, and Wexford Railway Company, the Board of Trade has taken any, and, if any, what steps to procure a revision of fares and charges described in that Report as "unreasonably high;" whether the Railway Commissioners, if moved by the Board of Trade, have powers to institute a further inquiry into, and, if need be, prescribe remedies for the management and accommodation provided by the Company, concerning which Major General Hutchinson, in the aforesaid Report, describes "the complaints to be well founded;" and, if it is his intention to bring the Report under the consideration of the Railway Commissioners?

Viscount SANDON: I have not thought it right to take any other step with respect to the revision of the fares and charges of the Dublin, Wicklow, and Wexford Railway Company, beyond that of sending to the Directors a copy of Major General Hutchinson's Report, as I do not think it is a case for the Board of Trade to take legal proceedings to bring the matter before the Railway Commission. It appears to me to rest rather with individuals interested, or with the Corporation of Dublin, to take such a course as they may think necessary to raise the qestion before the Commissioners. Should the Dublin Corporation desire to move in this matter, the Board of Trade will, upon an application from them, consider whether the case is one which would justify our issuing a certificate, as provided by the 13th section of the Railway and Canal Traffic Act, 1873. We have received a communication from the Railway Company, stating what steps they have taken to comply with the recommendations of Major General Hutchinson's Report. I shall be happy to present it to Parliament, if the hon. Gentleman would like to move for it.

ARMY—ABOLITION OF PURCHASE.

QUESTION.

Colonel ARBUTHNOT asked the Secretary of State for War, Whether it is the intention of Her Majesty's Government, before the next Session of Parliament, to institute an inquiry, by Royal Commission or by a Committee (not composed exclusively of War Office officials), as to what changes are rendered necessary by the abolition of purchase in the pay, allowances, and present and prospective advantages of the various branches of the Military Service, with a view to securing equal justice for, and promoting the efficiency of, all departments of the Army?

Colonel STANLEY: I can only say, in reply, that it is not the intention of the Government to institute any such inquiry.

Colonel ARBUTHNOT gave Notice that he should take an early opportunity of calling attention to the subject.

CRIMINAL CODE (INDICTABLE OFFENCES) BILL.—QUESTION.

Sir HENRY JAMES (for Mr. Morgan Lloyd) asked Mr. Chancellor of the Exchequer, Whether the Government has determined upon any method for subjecting the Bill to a full and complete revision; and, whether Notice will be given of the day for moving the discharge of the Order, so as to afford the House an opportunity of expressing an opinion on the constitutional character of the proposal?

The CHANCELLOR of the EXCHEQUER: The House is already aware, from what has occurred in "another place," what course the Government has resolved to pursue. The Bill will, during the autumn, be referred to the careful consideration of a Commission, consisting of Lord Blackburn, Mr. Justice Lush, and Sir James Fitzjames Stephen. I believe that the Commission will probably sit from September or October to December or January, so that their labours may be completed before next Session. As to the second Question, perhaps the hon. and learned Gentleman will kindly give Notice of it.

METROPOLIS—GOVERNMENT OF LONDON—LEGISLATION.—QUESTION.

Sir UGHTRED KAY-SHUTTLEWORTH asked the Secretary of State for the Home Department, with reference to his announcement before Easter of certain Government measures relating to the water and gas supply of the Metropolis and to the Report of the Metropolitan Fire Brigade Committee, and to other matters connected with London Government, Whether he proposes to introduce any of these measures during the present Session; and, if so, when; and, if not, whether he can assure the House that Her Majesty's Government intends to deal with these subjects in the next Session?

Mr. ASSHETON CROSS: I am sorry to be only able to give an unsatisfactory answer to the hon. Baronet. I have looked through the "announcement" to which he has referred, and I fail to find that I ever stated that the Government would introduce certain measures relating to the Metropolis. I merely stated that those matters were worthy of the consideration of the House. I have certainly no hope of introducing any measure this Session, and it is rather too early to make any statement as regards next Session.

LAW AND JUSTICE—FINES ON JURYMEN.—QUESTION.

Mr. RYLANDS asked the Secretary of State for the Home Department, Whether his attention has been called to the fact that Mr. Justice Hawkins, at the assizes at Aylesbury on Friday last, inflicted a fine of £20 upon a juryman for sending a telegram to the effect that he was unable on account of illness to attend; and that on the same day the same judge fined another juryman £10 for clapping his hands in the gallery while under momentary excitement; and, whether he is prepared to advise Her Majesty to remit these penalties?

Mr. ASSHETON CROSS, in reply, said, he had received a letter from Mr. Justice Hawkins upon the subject. The learned Judge expressed great surprise that the Question should have been put without the hon. Member having, in the first place, taken some trouble to ascertain what the real facts of the case were. He was bound to say that in the observation of the learned Judge he agreed, and for this reason—the Question would be seen by many persons who would probably not see the answer; and great harm would be done to the administration of justice if care were not taken to investigate matters of this kind before Questions were put in the House. As to the juryman who sent the telegram the facts were these. A very heavy case was being heard and was adjourned to the next morning, when a telegram was received from the juryman stating that he was ill and could not come. This was not a very courteous way of treating the Court. Owing to the absence of this juryman the trial had to be put a stop to and another juryman sworn. The learned Judge said that he should be bound to inflict a penalty of £20 upon this juryman for not appearing in Court at the proper time; but if it afterwards appeared that there was a proper medical certificate that the juryman was ill, he would, of course, remit the fine at once. In his opinion, that was an extremely proper course to take. In the second case, it was asked whether the learned Judge did not on the same day fine another juryman £10 for clapping his hands in the gallery while under momentary excitement? It so happened that a man was found guilty of perjury, and one of the persons in Court immediately began to clap his hands loudly. It turned out to be a juryman, and the learned Judge thought a person occupying that position ought not to set such an example in Court as to applaud because a prisoner was found guilty, and, as he (Mr. Cross) thought very properly, he fined the offender £10; but finding, subsequently, that he was a person in poor circumstances, he reduced the fine to 40*s.*

METROPOLIS — WATER SUPPLY IN SOUTH LONDON.—QUESTION.

SIR UGHTRED KAY-SHUTTLEWORTH asked the President of the Local Government Board, Whether his attention has been called to recent complaints of South London newspapers on the subject of the insufficient supply given by the Southwark and Vauxhall Water Company in Peckham, Bermondsey, and other parts of its district, and to the accounts of an extensive and destructive fire in Peckham on June 22nd when, owing to the short supply of water, the Fire Brigade could not get two steam fire-engines, which arrived shortly after the fire broke out, to work for some time; whether he has caused any remonstrance on the subject to be addressed to the Water Company; whether the Metropolitan Board of Works has taken any action; and, whether, considering the numerous and long continued complaints from this densely populated district and the repeated cases of insufficiency of supply, the Local Government Board are prepared to encourage an application to them (under section 11 of "The Metropolis Water Act, 1871"), to require the Company to provide a constant supply?

MR. SCLATER-BOOTH, in reply, said, his attention had been called generally to the complaints in respect of the water supply in these populous districts of London; but he had only received within the past few months two formal complaints with which it was possible to deal. An inquiry had been made as to the cause of the complaints, and the reasons given were that the short supply of water was due to defective fittings and inadequate accommodation in the houses. As to the fire, there was a delay of half-an-hour owing to the deficient supply of water, and in answer to the complaint the Company stated that the turncock, who lived near where the fire was, was not called upon to give assistance, nor was any complaint made to the offices of the Company, although they were not 600 yards off. The hon. Member asked whether there could be a constant supply, but this was a matter by no means easy to accomplish. He was, however, perfectly ready to deal with applications if made to him.

SELECT COMMITTEE ON PUBLIC BUSINESS.—QUESTION.

SIR CHARLES W. DILKE asked Mr. Chancellor of the Exchequer, in reference to a suggestion made by him to the Public Business Committee, adopted by that Committee, and reported to the House, that it might be well that the House should in the case of certain Bills return to the ancient practice of omitting the Committee stage, Whether, seeing that no instance of the practice has occurred since 1766, he will undertake that notice shall be given to the House before such return to such ancient practice takes place?

THE CHANCELLOR OF THE EXCHEQUER: The suggestion to which the hon. Baronet alludes has reference, of course, to cases in which it may be thought desirable that certain Bills should be referred to Select Committees upstairs, and in which it may not be thought necessary that they should be, after having passed the Select Committee, again submitted to the Committee of the Whole House. That would be a substantial change in the conduct of the Business here, and one which could not be entertained without the full approbation and consent of the House; and I would, of course, undertake that nothing of the sort should be done without full Notice.

ARMY—ARREARS OF PAY (PAYMASTERS).—QUESTION.

MAJOR O'BEIRNE asked the Under Secretary of State for India, If it is the intention of the Secretary of State in Council to consider the grievance of paymasters of Her Majesty's Army serving in India at the time of the publication of the Royal Warrant, dated 27th January 1860, and who, up to the present, have not received any arrears of pay due to them from date of publication of Warrant up to 1st October 1868, having regard to the Report of the Select Committee on Arrears of Pay due to Officers of Royal Artillery and Engineers which has been given effect to recently, and to the fact that the Warrant of 27th January 1860 conferred upon paymasters the rank of honorary Majors, providing that such rank shall carry with it all precedence, and advantages, and allowances of pay, prize money, &c., attaching to the corresponding rank of combatant officers?

MR. E. STANHOPE: The case of the Majors of the Ordnance Corps and the Paymasters are not parallel. The rank conferred on the Paymasters was honorary only, and neither honorary nor relative rank ever carried pay in India. But when, in 1868, it was decided to improve the position of Paymasters in India, it was decided to take their honorary rank as a guide in fixing their pay. It was not a right which they could claim under Indian Regulations or the Royal Warrant of 1860, which contained the special rates of pay laid down in the Royal Warrant of 1857. It was a boon conferred by the Government of India, and there was no intention of departing from the practice by making it retrospective. The Secretary of State in Council does not, therefore, propose to do anything in the matter.

AFRICA (WEST)—SIERRA LEONE.
QUESTION.

MR. ISAAC asked the Secretary of State for the Colonies, Whether he has received from Sierra Leone a petition alleging that the Governor in Chief of the West African settlements had made a speech to several native chiefs at Port Lokkoh, in which he spoke of the natives of Sierra Leone in terms of great disparagement; whether it is true that the language imputed to the Governor was really used by him; and, whether he will lay upon the Table any correspondence on the subject?

SIR MICHAEL HICKS-BEACH: A printed copy of the Petition referred to by the hon. Member has been sent to me from Sierra Leone, and I am awaiting the observations of the Governor upon it, which I expect to receive by the next mail. But from a Report which has been already received from him of the proceedings at Port Lokkoh, I am satisfied that he did not use the language attributed to him. There are no Papers which I could at present lay upon the Table.

GRAND JURY LAW AMENDMENT (IRELAND) BILL.—QUESTION.

MR. D. TAYLOR asked the Chief Secretary for Ireland, considering the advanced period of the Session, and that there would be considerable discussion on the Grand Jury Law Amendment (Ireland) Bill, If it be his intention to proceed further with this Bill this Session?

MR. J. LOWTHER: I am afraid that the circumstances to which the hon. Gentleman refers will make it impossible to proceed with the Bill. I shall, therefore, take an early opportunity of moving that the Order be discharged.

INDIA—VERNACULAR PRESS ACT. QUESTION.

MR. FAWCETT asked Mr. Chancellor of the Exchequer, Whether, in order to secure a full discussion for the Motion to be brought forward on Tuesday next by the Right honourable Member for Greenwich, in reference to the Indian Vernacular Press Act, he will not propose a morning sitting for that day?

THE CHANCELLOR OF THE EXCHEQUER: I am fully conscious of the importance of the Motion to which the hon. Gentleman draws attention; but I am sorry to say that, in the present state of the Session and of the Public Business, the Government could not afford to give up Tuesday's Morning Sitting.

HIGHWAYS BILL.—QUESTION.

MR. THORNHILL asked the President of the Local Government Board, Whether, in the event of highway board districts being done away with and union areas substituted for them, the existing clerks of the highway boards will be retained in their present position, or whether the work will be done by union clerks, and, in the latter case, what compensation the highway board clerks will receive?

MR. SCLATER-BOOTH, in reply, said, that there was no provision made for compensation in the Highways Acts, and it was competent for the magistrates to break up the districts formed under those Acts, quite irrespective of the provisions of the present Bill.

DISTURBANCES AT BELFAST—THE MILITARY.—QUESTION.

MR. J. P. CORRY asked the Secretary of State for War, Whether any inquiry has been made into the conduct of certain of the Cork and Limerick Militia Reserve stationed in Belfast on the occasion of a procession of Sunday School children which took place on Saturday 22nd June; and, if so, whether he can state the result, and say what precautions will be taken to prevent a recurrence of such conduct?

COLONEL STANLEY: I have already made inquiries into this affair, and the Commander-in-Chief in Ireland reports that the matter was not as serious as the local papers made out; but I regret to say that certain men of the 104th Foot, lately belonging to the Militia Reserve, did take part in the disturbances; and, on the action of the civil authorities, seven of them have been sentenced to one month's imprisonment each. Due precautions will be taken to prevent a recurrence of these disturbances, and the officer commanding the district reports that there has been no further trouble.

TURKEY — THE OCCUPATION OF CYPRUS.—QUESTIONS.

MAJOR NOLAN asked Mr. Chancellor of the Exchequer, If he can state what will be the number of the troops employed in the occupation of Cyprus; and, whether native Indian troops will be used for this purpose?

COLONEL STANLEY: Perhaps, Sir, the hon. and gallant Gentleman will allow me to answer that Question. The number of troops to be employed will be, in round numbers, about 10,000, and the Force will consist of the Indian troops now at Malta, and three battalions of British Infantry.

MR. B. SAMUELSON asked Mr. Chancellor of the Exchequer, Whether he is aware that the steamships calling at Cyprus are frequently unable to land their passengers in consequence of the exposed position of the roadsteads in that island; whether any estimates have been prepared of the approximate cost of erecting such works as will be required in order to enable troops to be landed and embarked there at all times; whether he is aware that during several seasons since 1870 there has been a total failure of the grain crops in Cyprus, owing to the entire absence of rain in successive years, and that not only were the revenues greatly reduced during those years, but that the Porte had to incur great expense in feeding the people of the island; and, whether he can state approximately what will be the cost of providing barrack accommodation for the troops which it is proposed to quarter in Cyprus?

THE CHANCELLOR OF THE EXCHEQUER: The Questions put by the hon. Gentleman extend over a considerable range of subjects as to which we have more or less information, but in reference to which we are at the present moment receiving further information. I think, therefore, it would be more convenient that I should not just now attempt to give an answer to those Questions.

Sir ALEXANDER GORDON asked the Secretary to the Admiralty, If he will place in the Library, for the use of Members, an Admiralty Chart showing the harbours on the coast of the Island of Cyprus?

Mr. A. F. EGERTON: I have to inform the hon. and gallant Member and the House generally that this morning a chart of the Island of Cyprus on a sufficiently large scale was sent down, and that, with your permission, Sir, it has been hung in the news-room.

Sir JULIAN GOLDSMID: Will the hon. Gentleman say, Whether there is any harbour at all in the Island?

Mr. A. F. EGERTON: Technically speaking, there is no harbour; but there are three very fair anchorages, from which it is usually easy to land on the Island.

AFRICA (SOUTH)—GRIQUALAND WEST.

QUESTION.

Mr. JAMES asked the Secretary of State for the Colonies, If the attention of the Government has been called to the repression of the outbreak in Griqualand West by the Colonial forces under Colonel Lanyon, as reported in the "Cape Argus" of June 11th; whether it is the fact that on or about the 20th of May a kraal of Caffres was attacked, and that all the natives in it were killed, although they cried for quarter; and, whether the Government will direct a full and immediate investigation of these proceedings?

Sir MICHAEL HICKS-BEACH: I have seen the statements in the *Cape Argus* to which the hon. Member alludes. I have received from Colonel Lanyon a Report of his proceedings in suppressing this rebellion, from which it appears that on the 22nd of May some Kaffirs were discovered in a position from which they were firing upon the Colonial Forces. It was necessary to dislodge them. They were called upon, both in Dutch and in the Kaffir language, to surrender. They declined to do so, and the position was taken by storm. Five dead Kaffirs were found in it, and a wounded man, who was at once carefully treated by the surgeon attached to the Colonial force. The hon. Member will see that it is difficult to identify these proceedings as those described in his Question; but I have directed inquiry to be made into the newspaper statements.

PAROCHIAL CHARITIES OF LONDON—LEGISLATION.—QUESTION.

Mr. FAWCETT asked the Secretary of State for the Home Department, When the Bill for the appointment of a Commission to inquire into the Parochial Charities of the City of London will be introduced?

Mr. ASSHETON CROSS: The Bill has been prepared, and I hope to be able to ask leave to introduce it to-morrow or Monday.

MASTERS AND SERVANTS—LIABILITY OF EMPLOYERS—LEGISLATION.

QUESTION.

Mr. PULESTON asked Mr. Attorney General, Whether he can now state when he will be prepared to introduce the measure regulating the liability of employers and employed?

The ATTORNEY GENERAL (Sir John Holker): A Bill upon this very difficult subject is in course of preparation, and will be introduced by Her Majesty's Government in the course of the present Session, and without any unnecessary delay.

THE EASTERN QUESTION — THE INDIAN CONTINGENT—COST.

QUESTIONS.

Sir GEORGE CAMPBELL asked the Secretary of State for War, If he is yet prepared to nominate the Committee to inquire into the cost of Indian Troops employed in Europe?

Colonel STANLEY: I have been in communication with my hon. Friend the Secretary to the Treasury on this subject, and I think it will be possible to nominate the Committee early next week. I have already said that I do not anticipate that its inquiries will be very prolonged.

Mr. CHILDERS inquired, Whether the Instructions to the Committee would be laid on the Table?

Colonel STANLEY: The Reference to the Committee will pretty well cover their Instructions.

THE CONGRESS OF BERLIN — THE PAPERS.—QUESTION.

Mr. W. E. FORSTER: As my noble Friend (the Marquess of Hartington) will not be here this evening, I wish to ask the Home Secretary the Question standing in his name. I see he has put it down "to ask the Home Secretary," not expecting that we should have the pleasure of seeing the Chancellor of the Exchequer here so soon. I, in common with the rest of the House, am very glad to see the right hon. Gentleman in his place. I beg to ask, Whether Her Majesty's Government can state when it is probable that any Papers relating to the proceedings of the Congress of Berlin will be presented to Parliament; and, further, whether the Government will be soon in a position to furnish a map showing the new boundaries of States as settled by the Congress?

Mr. ASSHETON CROSS: In reply to the Question of the right hon. Gentleman, I beg to say that Papers in reference to the proceedings of the Congress are in course of preparation, not only at the Foreign Office, but also at Berlin, in order that there may be no unnecessary delay in laying them before the House when the Congress has concluded its labours. In regard to the last Question, I have heard from my noble Friend (the Marquess of Salisbury) this morning, to the effect that he had already sent over a map, showing what the Congress had done, at all events, as far as Europe was concerned. I have given instructions, according to his wish, that two large copies shall be placed in the Library of both Houses, and that there shall be smaller copies made, and distributed in the usual way among the Members. I do not think they will arrive before Saturday; but no time will be lost in laying them before Parliament.

TURKEY—ATROCITIES IN ROUMELIA.

QUESTION.

Sir H. DRUMMOND WOLFF asked the Under Secretary of State for Foreign Affairs a Question of which he had given him private Notice, Whether Her Majesty's Government had received any Report as to the ill-treatment of Mussulmans in the districts south of the Rhodope mountains?

Mr. BOURKE: We have received Reports on the subjects referred to by the hon. Baronet detailing facts similar to those which have appeared in the public journals, and they are being prepared for presentation to Parliament.

PARLIAMENT—PUBLIC BUSINESS.

QUESTIONS.

Mr. DILLWYN asked, What Business would be taken to-morrow; and, whether it was still the intention of the Government to take the Intermediate Education (Ireland) Bill on Monday?

The CHANCELLOR of the EXCHEQUER, in reply, said, the first Business to-morrow would be the continuation of the Highways Bill, and if it should not occupy the whole Sitting, the Admiralty and War Office (Retirement of Officers) Bill would probably be taken. On Monday it was proposed to take the second reading of the Intermediate Education (Ireland) Bill, and they would also put some Irish Estimates on the Table, in case there should be time to proceed with them. On Tuesday they proposed to take the Committee on the Contagious Diseases (Animals) Bill, and they hoped next week to begin to take the Wednesdays for Government Business, this being about the time of year when that course was adopted. He found that owing to the early meeting of Parliament there had been three more Wednesdays for non-official Buinesss this Session than last. And in the week following next they proposed also to take Tuesdays. If that was agreed to, they proposed to take the Contagious Diseases (Animals) Bill on the Tuesday morning and continue it on Wednesday.

Sir GEORGE CAMPBELL: With reference to the statement of the right hon. Gentleman on Public Business, I would beg to ask, Whether several Scotch Bills, and two Scotch Education Bills in particular, which have been on the Paper for many days, will be now indefinitely postponed, or will come on at a time that will permit of their being discussed?

Mr. ASSHETON CROSS: There are two Scotch Bills which I hope the House will pass. One is the Education (Scotland) Bill, and the other is the Endowed

Schools and Hospitals (Scotland) Bill, which are intended to be proceeded with.

TURKEY—SLAVERY AND THE SLAVE TRADE.—QUESTION.

Mr. BAXTER said, the hon. Gentleman the Under Secretary of State for Foreign Affairs had requested him to put the Question then which stood in his name for to-morrow. It was to ask, Whether any communications had passed between Her Majesty's Government and the Ottoman Porte with respect to the Slave Trade in the Turkish Empire; and whether any convention had been proposed in reference to the status of slavery?

Mr. BOURKE: In reply to the Question of the right hon. Gentleman, I have to state that the Porte has expressed its willingness to enter into a Convention with this country for the abolition of the Slave Trade. A Convention on the subject was some time ago prepared, and was sent out to Turkey on the 9th of June, and Her Majesty's Government are still in communication with the Porte on the subject. With respect to the status of slavery, that, the right hon. Gentleman knows very well, is quite a different thing. Her Majesty's Government have always done, and always will do, their best to discourage slavery wherever and whenever they can, and they have done a great deal since they have been in Office to encourage foreign Governments to abolish the status of slavery. I need not remind the House that the Sultan of Zanzibar, under the influence of the British Government, did a great deal to abolish the Slave Trade in his Dominions, and I believe that those acts have been appreciated by this country. We have also been successful in making a Slave Trade Convention with Egypt, under which Egypt undertakes to afford facilities for the abolition of the Slave Trade in the Red Sea, and also for the punishment of those who embark in that trade, within the Khedive's Dominions. I need not assure the right hon. Gentleman that Her Majesty's Government will continue to carry out the same policy in the future.

Mr. W. E. FORSTER: I am very glad to hear this information as to the action of the Government in reference to slavery; but the hon. Gentleman did not answer that part of the Question as to whether there had been any communication between Her Majesty's Government and the Porte in regard to the existence of slavery?

Mr. BOURKE: In my answer I tried to distinguish between two things—the Slave Trade and the status of slavery. In regard to the Slave Trade, I must repeat that we have sent out a Convention to Turkey, and that we are in communication with the Porte at the present moment on the subject. As regards the status of slavery, I need not repeat what I have already said, but only remind the House that we shall continue to do what we can to discourage the status of slavery whenever and wherever it exists.

Mr. W. E. FORSTER: I am afraid my hon. Friend has not understood the Question I asked. I do not doubt the wish of Her Majesty's Government to do all they can to discourage slavery; but what I asked for was information on this particular point—Whether there had been any communication between the Government and the Ottoman Porte with regard to the existence of slavery in the Turkish Empire?

Mr. BOURKE: I have no doubt that in the Correspondence that has been going on on the whole subject between Her Majesty's Government and the Porte, the Government have indicated their opinion very plainly upon the question of slavery.

ORDERS OF THE DAY.

⁂

SALE OF INTOXICATING LIQUORS ON SUNDAY (IRELAND) BILL.

(*The O'Conor Don, Mr. Richard Smyth, Mr. Charles Lewis, Mr. James Corry, Mr. William Johnston, Mr. Dease, Mr. Dickson, Mr. Redmond.*)

[BILL 215.] CONSIDERATION.

Order for Consideration, as amended, read.

Motion made, and Question proposed, "That the Bill be now taken into Consideration."—(*The O'Conor Don.*)

Mr. ONSLOW, in rising to move, as an Amendment, that the Bill be considered on that day three months, said, that no Bill of such importance as the Sunday Closing Bill had come before the House during the present Session, Indeed, if it were not for this Bill, he doubted if, with the exception of the discussions on the Eastern Question, there would have been anything of interest in their proceedings. Looking upon this as a national question, he, as an English Member, had taken up the subject, and intended to oppose this Bill in all its stages. He did not deny its importance, and the Chancellor of the Exchequer, in his opinion, had done well in giving them a fair discussion of the Bill. He hoped that the promoters of it would in the course of the present discussion give some sufficient reasons for asking the House to pass it, and also explain why they had silently acquiesced in the important Amendments which had been made in the measure by the Government and by several private Members of the House. It had been said both in the House and in the Press that the opponents of the Bill had been actuated solely by an intention to obstruct legislation. This he denied *in toto.* So far as he was personally concerned, he could only say that his opposition had been based solely upon a belief that the Bill embodied a vicious principle which, if adopted in the case of Ireland, might hereafter spread to England. He was not an Irish Member; he had no interest in the trades which would be affected if the Bill passed; and he had not been asked by any body of publicans, or even by a single publican, to oppose the Bill. It was said this Bill was obstructed by the Trade, but that was not so. It was opposed because it contained a vicious principle; it was opposed by a certain number of English Members because they did not believe in it. They were all anxious to stop drunkenness; but, unfortunately, they all differed in opinion as to how it was to be accomplished. There were various modes adopted; and two converted working men were going about the country advocating temperance, which they did by means of singing, one of the songs bearing the title—"We have left the barrel; hurrah for the pump!" That might be a legitimate way of curing the evil, but was not the way most of them would adopt. This matter of drinking should be taken up as a whole, and he objected to piecemeal legislation. If there was an inordinate amount of drunkenness the matter ought to be taken up by the Government; but it was idle to bring in this Bill as a separate measure, for it would not cure the evil. They had had of late quite enough of liquor legislation to last them for some years; and he hoped that private Members would not continue to harass the Trade by bringing in any more large or small Bills on the subject. This Bill had not been stopped by the publicans, and he was glad the Government had not adopted it as one of their own measures. According to a Report of a Committee on this subject, Sir Dominic Corrigan said he asked for the same justice for Ireland as Scotland enjoyed, and that the health and morality of the Irish people should not be sacrificed at the mercy of the publican and the Treasury. That was very strong language, which was not warranted by facts. Mr. Thomas Pim used similar language, stating that the opposition to the Bill was backed up by people in England who were interested in keeping up drinking habits in Ireland. It was a scandalous thing for any man to make such a statement, which he ventured to say its author did not himself believe, and he must be a very stupid man if he thought anyone else would believe it. By another witness it was said that the whisky sold by the publicans was poison. That was the whisky sold on Sunday; but how about whisky sold on other days? The statements made in that way were grossly exaggerated, and passed an undeserved censure on the publicans of Ireland. This Sunday Closing Bill had had unusual facilities. He did not recollect any other Private Bills for the discussion of which the Government had given up virtually three nights, and had supported the Motion for going into Committee on the Bill at the somewhat extraordinary hour of 2 o'clock in the morning. When he looked at the Memorial presented to the Chief Secretary for Ireland on this subject, he found that nearly everyone who waited upon the right hon. Gentleman urged that the Bill should be passed in its entirety—that nothing less would meet the exigencies of Ireland. He was led to presume by the reading of that Memorial, that the Memorialists would not care at all for the Bill unless it was passed in its original shape. But the promoters of the Bill had agreed to alterations proposed by the Government; and five of the chief towns in Ireland had been exempted from the operation of the Bill. There were other important Amendments which had been assented to, so that the Bill now was quite a different article to the Bill which was originally brought in. The alteration the Bill had undergone reminded him of the story of the bullfinch which was sold to a purchaser in all its glory of plumage. Gradually the brilliant hues of the bird died away, and instead of being a bullfinch it turned out to be a sparrow. If a man was to be allowed to drink in these five big towns on Sunday, what harm could there be in a man drinking elsewhere in Ireland on Sunday? This measure was entitled, when introduced at the beginning of the Session—"A Bill to prohibit the Sale of Intoxicating Liquors on Sunday;" but since the alteration it had undergone, it ought to be entitled—"A Bill to prohibit the Sale of Intoxicating Liquors in parts of Ireland on Sunday." A good deal had been made of the Forbes-Mackenzie Act; but that Act, instead of causing a decrease in drunkenness, had the effect of largely increasing it, for he found that since the passing of that Act up to the year 1874 the cases of drunkenness in Scotland had increased from 12,000 to 40,000 in the year. He did not say that this increase of drunkenness arose altogether from the operation of the Forbes-Mackenzie Act; but the fact he had stated was sufficient to show that that Act could not be put forward as a reason why similar legislation should be adopted for Ireland. If the Bill was passed, it would increase drunkenness in Ireland to an enormous extent. It was said that the majority of the Irish people were in favour of the Bill; but that was not an argument which could be accepted unless the House was prepared to give Ireland Home Rule and Denominational Education, which was certainly asked for by the majority of the Irish people. This Bill was inconsistent in every way, for it would allow people in towns to get what drink they wanted on Sunday, while it denied the same privilege to people living in the country. The condition of the people in the country districts under this Bill could be described with the words—whisky everywhere, but not a drop to drink. He hoped the Government and the House would unite to throw out this Bill. He had voted for a limitation of the hours during which public-houses should be open on Sunday, and that, he hoped, would be accepted as a fair compromise on this question. It was said that this Bill would change the national character of the Irish people; but he did not regard that as a recommendation of the measure. No one wished for such a change, and least of all did the Irish people do so. On the contrary, they were proud of their national character, and anxious to retain it. But really no one imagined that the national character of the Irish people would become changed should they be prevented from getting a glass of whisky upon Sundays. While the upper classes of society could provide themselves with whatever beverages they pleased, it was, he considered, an undue interference with the liberty of the subject to tell the lower classes of the Irish people that there was one day in the week on which they would not be allowed to take any alcoholic refreshment. Great stress had been laid upon the success of voluntary closing in Ireland. He did not object to that. If they wished it, he would say let them by all means do it; but he did not wish to see Parliament step in and compel them to do that which he would wish to see them do voluntarily; and he cautioned the House that if it passed this measure for Ireland the day was not far distant when a strong pressure would be brought to bear upon them in favour of passing a similar measure for England; and, therefore, if they now threw out this Bill the further they would postpone any such proposal with respect to England. Some years ago drunkenness was a social scandal of the upper classes in this country, but now there was nothing of the kind to be found there, a great change having been wrought in the habits of the aristocracy, not by the agency of restrictive measures, but by means of the spread of education; and the same remedy would, in course of time, work a similar cure in respect to the Irish people. For these reasons, he asked the House to reject this Bill. As the best possible cure of drunkenness, he would advise them to make the homes of the Irish people happier, to promote their education, and to give them greater facilities of travelling. England did not ask for such a Bill—Ireland did not require it—and, therefore, he would move that the Report be considered that day three months.

MR. MURPHY said, he had great pleasure in seconding the Motion of the hon. Member for Guildford. He now wished to state the reasons why, in his opinion, the Bill should not be allowed to become law, and to express a confident opinion that the common sense and intelligence of the House of Commons should not pass a measure which had become so emasculated and self-contradictory since it had been introduced into Parliament. It had been his good or ill-fortune on former occasions to occupy some length of time in placing before the House the facts and figures to show that the necessity upon which the Bill was supposed to rest had no existence; and, therefore, the observations which he had now to offer he should make as short and distinct as possible. He had, he considered, incontrovertibly proved that so far from Sunday being in Ireland the day of the greatest intemperance and disturbance—as the promoters of the Bill had represented it to be—it was, in reality, the day of the greatest order and decorum. In taking this view of the case, it was, he considered incumbent upon him to explain how the decision of the House in 1876, in reference to this proposal, had been arrived at. It was, he ventured to say, in complete ignorance of the real facts of the case that the House arrived at that decision. When the hon. and learned Member for Londonderry (Mr. Richard Smyth) introduced his Bill, he prefaced it with the statement that all classes in Ireland were in favour of it, and he added the most astounding and startling fact that 300,000 persons had petitioned in favour of it, and only 50,000 had petitioned against it. So far as the Petitions were concerned, that was the case at the time, and there was then no mode of explaining it. The hon. and learned Gentleman also stated that public meetings had sanctioned the principle of his Bill, and that at one in particular, attended by 151,000 persons, only 150 hands had been held up against it. In that state of the case, with these statements uncontradicted, it was not to be wondered at that the House came to the opinion that the measure had the support of the Irish people. As the right hon. Gentleman the Member for Greenwich (Mr. Gladstone) had said, speaking in reference to the observations made by the late Chief Secretary—

> "It requires a strong case to warrant us in overlooking the strong objection to such restrictive legislation, and the question is whether we have that strong case before us?"

That was putting the case fairly; and because there was not that strong feeling of the people in favour of the Bill, he opposed it. No one could support it from an abstract point of view, for it was an infringement of the personal rights of individuals, and an attempt to control a man's volition towards himself. The real question, however, which the House had to consider was, whether or not the people of Ireland asked for the measure? If they wished for it, then he would say in God's name let them have it; but the Petitions to which he had referred were not to be taken as the expression of their wish on that point, for, in fact, these Petitions did not emanate from the Irish people. He had taken the trouble to analyse those Petitions, and with the following result:—He found that the number presented in favour of the Bill up to the 12th of May, 1876, was 1,926, and the number against it only 88; but that of the 1,926, no fewer than 1,027 proceeded from England and Wales and Scotland—got up, probably, by the United Kingdom Alliance—and he did not see how those could be considered to represent the feeling of the people of Ireland. Of the remainder, 381 proceeded from congregations of Presbyterians, Wesleyans, Methodists, and Good Templars, and 157 from official bodies—such as Town Commissioners, Boards of Guardians, &c.—so that, in reality, there were only 361 of the Petitions which could be said to have emanated from the Irish people themselves. These facts having been suppressed, he was not surprised that the House of Commons had come to the conclusion that the people of Ireland were in favour of the measure. Again, the total number of the clergy in Ireland, irrespective of the Roman Catholic priests, was 2,481, of whom 1,460 were Protestant Episcopalians, 636 Presbyterians, 231 Wesleyans, and 153 belonged to other denominations, and of these 2,212 had signed in favour of the Bill. The Roman Catholic clergy numbered about 3,300, and of that number only 1,100 could be got to sign the

Petitions in favour of the Bill, and that, too, with certain qualifications and conditions annexed; so that, actually, the number of Roman Catholic clergy who refused to countenance the measure amounted to as many as that of all the ministers of other denominations who were in favour of it, and yet they were canvassed and importuned to sign in favour of it. He would now show that in proportion as the people of Ireland became acquainted with the real character of the Bill the more had their opposition to it increased. The total number of Petitions in its favour up to last month was only 851, and of these 217 proceeded from official bodies, such as Boards of Guardians, who were not elected *ad hoc*, and whose signatures, therefore, were to be counted only as those of so many individuals; and, therefore, those Petitions should not be taken as proceeding from any representative body. Excluding all Petitions but those for the people of Ireland, he found that whereas there were only 450 in favour of the Bill, there were 894 against. Could they be blind to these facts? It might be asked how was it that with this overwhelming evidence against the Bill it was still pushed forward and brought to its present state? It could be explained in a few words. When the Bill was first introduced in 1876 the Government voted against it in pursuance of what he believed to be their constant usage. Subsequently, however, when the Bill was again introduced, the Government stated that they bowed to the decision of the House which had been given to the principle of the Bill, and they did not find it their duty to oppose it; but, nevertheless, although the House had so affirmed the principle of total closing, they (the Government) desired to have the opportunity of offering Amendments totally and absolutely contradictory to the principle of the Bill so confirmed. The following year, 1877, the Bill was again brought in; and, as a matter of course, the Government voted for the second reading, not because they approved of the principle of the Bill, but with the view of enabling it to arrive at the stage at which they could produce their Amendments. After the Report of the Select Committee the Bill did not get further that Session, and when it came again before the House in the present Session there was no opposition to the second reading; but it was distinctly understood that the discussions should be taken on the order for going into Committee. It passed, he might say, *sub silentio*. It, however, got into Committee by what he might call a "fluke," without the slightest opportunity for discussion, and there it stood until the Amendments were introduced, which formed part of the Bill before the House. They had nothing more to say about it, and the Bill now came before the House in that way, for the purpose he had indicated. Hence it was not so much that the principle of the Bill had been affirmed in this House, but in order to allow it to reach its present stage they were obliged to support it. He claimed that he had proved by a mass of incontrovertible evidence that the people of Ireland were not in favour of the Bill, and more than two-thirds of the Roman Catholic clergy had refused to sign Petitions in its favour, and that nine out of every ten who assented to the principle in 1876 did so because they believed there was an overwhelming majority in Ireland in its favour, that Sunday was the most intemperate day in Ireland, and that it was generally a day of riot and disorder. Since 1876 it had been indisputably proved beyond the possibility of contradiction that there was no occasion for this Bill so far as intemperance was concerned, so far as the prevention of rioting and disorder was concerned; and, further, there was the opinion of official witnesses, who spoke under a sense of responsibility, that, so far from the Bill carrying out the objects of the promoters, it would absolutely intensify and aggravate any intemperance that existed in Ireland, and would create demoralization in the country by teaching men to evade a law which they believed to be unjust and knew to be unnecessary. He objected to the steps which had been taken to intimidate hon. Members—he used the word advisedly—on the part of the Irish Sunday Closing Association, which was professedly formed for the express purpose of influencing the passage of this Bill through Parliament. The hon. Gentleman read a Circular which had been addressed by the Association to the electors of Dublin, in which the following significant postscript was printed:—

> "It would be additionally valuable if you would be so kind as to put a † in the place opposite to your name, showing the political Party with which you generally act."

The Irish Times had described that Circular as an outrage, and *The Daily Express*, an avowed organ of the Society, had used language even stronger. Within the last few days a Circular had been issued by the hon. Secretary of the Association, and widely circulated, calling upon all who had influence with Members of Parliament to do their utmost to secure the attendance in their places that night of the supporters of the Bill; and, further, to do all they could to get the opponents of the measure to withhold their opposition, and to act in accordance with what they called "the strongly expressed wishes of the people of Ireland." That was some evidence of the manner in which the Association acted—by public threat and private solicitation, bringing every possible influence to bear upon Members to coerce them into supporting the Bill. Was it surprising that other Irish Members than the Ulster section should be by such means coerced into voting for the Bill? He had recently been in Ireland, where the farmers laughed the Bill to scorn, and declared that they would have none of it. The Bill as it stood was an absurdity, a self-contradictory and kind of tesselated measure. Let those in charge of it make it homogeneous and consistent by opening public-houses throughout all Ireland for three hours on Sunday, and he would promise not to offer further opposition. He asked a fair consideration of this offer from those who had stood on the platform of self-righteousness overmuch, holding up their hands to Heaven, looking down with pity and contempt on those who presumed to differ with them, and thanking their God that "they were not like unto that publican."

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day three months."—(*Mr. Onslow.*)

Question proposed, "That the word 'now' stand part of the Question."

SIR WALTER B. BARTTELOT wished to say a word with regard to the position in which the House now found itself with respect to this Bill. The almost empty state of the Benches showed that this subject had been so absolutely thrashed out already, that there was really nothing further to say in the matter. He had himself, in the first instance, opposed this Bill upon principle; but the Bill had been altered and amended at the instigation of the Government, and, moreover, it had been amended more or less with the consent of the hon. Member for Roscommon (the O'Conor Don) who was in charge of it. The hon. Member received some sort of assurance from those who had so strenuously opposed him, that if he gave way with regard to the Bill coming to an end at a certain period, the opposition would not be pursued any further. The hon. Member for Roscommon was wrong in not accepting the compromise at the time when it was first proposed; but he did accept a compromise nevertheless, and Members were bound to follow that arrangement out and not carry the opposition further. It was neither in the interest of those who came from Ireland, nor certainly in the interests of the House, to prolong discussion upon a measure that had been already generally accepted. Notwithstanding what had been said by the hon. Member for Cork (Mr. Murphy), as to the circumstances under which the majorities in favour of the Bill had been obtained in the House, still there had been large majorities, which showed that the House was determined to give it a trial. If Parliamentary Government was to go on, they were bound to defer to the majority; and he could not, therefore, think that it would be right to offer any further opposition to the passing of this Bill. He would advise hon. Members who, he had no doubt, were sincerely opposed to this Bill, to allow it to pass its present stage; and they might do so in the full assurance that, if it was the bad Bill they believed it to be, public opinion would be so strongly manifested against it in Ireland, that long before four years were over, Parliament would have to deal with the subject anew. With the three hours' Amendment, as proposed by the hon. Member for Cork, he sympathized very much; but it was totally against the principle of the Bill, and after what he had said he hoped the Amendment would not be pressed.

MR. P. J. SMYTH said, he was himself willing to accept the proposition of the hon. Member for Cork (Mr. Murphy), and if the hon. Member for Roscommon (the O'Conor Don) would allow the three hours' exemption, from 2 to 5, in those places to which the Bill was to apply, all opposition to it should cease; but otherwise, he repeated, they were bound to persevere, not certainly in a course of obstruction, but in offering a fair opposition to the Bill in all its stages. He regretted they were there that day, not to pass the Intermediate Education Bill, which would confer a solid benefit upon Ireland, but for discussing that miserable Sunday Closing Bill. Facilities had ordained it otherwise. The Government had, in his opinion, more than fulfilled their part of the bargain; for though he had searched the records, he could find no precedent for the facilities they had given for the passing of the Bill. In the discussion which took place the other day on the Permissive Bill, it was admitted that it could not be even considered until the principle of compensation had been conceded. He had before alluded to that branch of the subject; but it had never been brought before the House, and he hoped to be able to convince it that, in its present state, the Bill could not pass. In all cases where private interests were affected injuriously by Acts of the Legislature, the parties so injured had *primâ facie* a constitutional claim to compensation. No compensation was awarded when the Forbes-Mackenzie Act was passed for Scotland, because the Scotch publicans had no vested interests. It was otherwise in Ireland. For 50 years, from the year 1833, when O'Connell's Act passed, it had been unquestioned law that the seven-day licence in Ireland was a vested interest. This was an important branch of the subject, and demanded the careful attention of the House. One of the earliest instances of compensation awarded by Parliament occurred in the year 1788, when the Prime Minister, William Pitt, proposed that the several sums of £500,000, £70,000, £1,228,000, and £113,000 should, according to distinct classes, be voted by Parliament as compensation for the losses of all such persons as had "suffered in their rights, properties, and professions during the late unhappy dissensions in America." The sums voted amounted altogether to £2,101,000, Edmund Burke declaring that he "never gave a vote with greater satisfaction." Again, when the same great Minister brought forward, in 1785, a proposal for a reform in Parliament, he expressly declared that in the boroughs he disclaimed all idea of compulsion—a fund of £1,000,000 sterling was to be established to compensate the borough proprietors. The same principle of compensation was adopted by the same Minister in carrying out the Union between Great Britain and Ireland. Lord Stanhope states that—

> "The Ministers in England had determined to grant a compensation in money for the boroughs to be disfranchised; no less a sum than £1,250,000 was assigned for the purpose;"

and it was alleged that this compensation should be given irrespective of Party or the votes of the proprietors. Under the same Minister, a Board was established in Ireland by the Acts of the Irish Parliament—the 38, 39, & 40 *Geo.* III.—for examining and determining the claims of those who had suffered in their properties by the Rebellion of 1798. He cited these precedents in proof of the scrupulous regard of the Legislature, even at that early period, for vested interests. But there was a precedent which touched the subject more nearly. The prisage or butlerage of wines was a duty payable to the King on all wines imported, and was granted, he believed, by Henry II. to his botelier or butler, the ancestor of the Ormond family of that name. An Act was passed in 1806, after the Union, authorizing the Treasury to treat with the Earl of Ormond and Ossory and his trustees for the purchase or surrender of the prisage or butlerage of wines in Ireland, for such annuity or sum of money, or both, as should be agreed upon in that behalf. Another Act was passed in 1810, by which the prisage or butlerage of wine imported into Ireland ceased, and a sum of £216,000 was paid as compensation. He left it to the opponents of compensation—if any there were—to show in what respect the claim of the publican for compensation for injury inflicted on his property by this Bill differed from, or was inferior to, that of the Ormond family, deprived by an Act of the Legislature of a monopoly injurious to the public interest. The most conspicuous example of the principle for which he contended, however, was the advance by Parliament of £20,000,000 in 1833 as compensation to the owners of negro slaves. When the late Earl of Derby, then Mr. Secretary Stanley, brought forward his measure for the emancipation of the slaves, he declared that—

> "Our proposition is to advance to the planter a loan of £15,000,000, in consideration of the sacrifice on his part of the fourth of the labour of his slaves. It is quite clear," he said, "that the repayment must be borne either by the produce of negro labour or by the Revenue of this country; it cannot, in justice, be borne by the planter."

He referred to his proposal as tending to effect the object "gradually and safely." He then proposed a series of Resolutions, the fourth expressly to provide against the risk of loss which proprietors in our Colonial possessions might sustain. Objections were raised that Parliament was, in effect, legislating for the Colonies. The proposal was accordingly modified, and instead of a loan of £15,000,000, a grant or gift of £20,000,000 was voted. The late Daniel O'Connell, although strongly opposed to Mr. Stanley, supported the grant. The right hon. Gentleman the Member for Greenwich (Mr. Gladstone) also supported the grant. He "hoped that the House would adopt the principle of compensation," and concluded with these impressive words—

> "Let not any man think of carrying this measure by force; England rested not her power on physical force, but upon her principles, her intellect, and her virtue."

The late Sir Robert Peel, then in Opposition, declared that—

> "The Resolutions amounted to depriving the planters of a certain portion of their property, and should the House turn round upon them with a view of defeating their claim to compensation, it might, indeed, be empowered to do so; but we should incur an imputation upon our good faith such as had never previously been equalled. Parliament was, in his opinion, bound to make the planters full compensation."

Unless it was contented that the planters' right of property in the enforced labour of his fellow-beings was of a higher order than that of the legitimate trader in his licensed premises, he knew not on what ground the perfect applicability of this precedent could be contested. When Parliament was about, in 1845, to legislate generally on railways, a Select Committee of the House of Lords, in a Special Report, recorded their opinion that a very high percentage, amounting to not less than 50 per cent upon the original value, ought to be given in compensation for the compulsion only—the severance and the damage being distinct considerations. By this Sunday Bill they would deprive the publican of a legal day—a day legalized by their own Acts; there was compulsion, there was severance, there was damage—and why should there not be compensation? In the debate upon the Army Regulation Act, 1871, the then Secretary of State for War (Mr. Cardwell) made the following important and categorical statement:—

> "The business of Parliament was to give complete indemnity—neither more nor less—to those affected by what it was now doing. If it was impossible, in minute arrangements, to do perfect and accurate justice in every case, then the balance would be cast in favour of the officer. For the pecuniary value of the present commissions it was proposed to give complete compensation, both as to regulation and over-regulation prices."—[3 *Hansard*, ccvi. 1276.]

Now, no military Gentleman in that House would say that the rules prescribed in the book known as the *Queen's Regulations for the Army* had been strictly adhered to. The breaches were numerous and notorious; yet full compensation was awarded to the officer, and none at all was now proposed to the publican, who had complied with all the provisions of the law. If that were not class legislation, he should like to know what class legislation was. The right hon. Gentleman the Member for Greenwich, in his speech on moving the Disestablishment of the Irish Church, laid down the following equitable principles:—

> "We must not disguise from ourselves that we are calling upon persons, upon large classes, upon individuals entitled to great respect, to undergo a great change in their position under the direct action of the law."—[3 *Hansard*, cxciv. 418.]

He then recognized what he called "vested interests." And his Act provided compensation for every class and every person whose vested interests were affected by it. Not only were Archbishops and Bishops and Rectors secured annuities equal to the amount of the yearly incomes of which they were deprived, but similar provisions were made for curates, sextons, and schoolmasters. Why should not the same equitable principles apply to the persons, the large classes, who would be affected in their properties by Sunday closing, and who were called upon to undergo a great change in their position under the direct action of this law? The right hon. Gentleman the Member for Greenwich, in dealing with the question of compensation to the tenant, in his speech on the Irish Land Bill, in 1870, enlarged upon the policy of securing compensation for improvements, and declared that such compensation should apply to retrospective improvements. He laid down the following principles:—That of attaching to evictions such conditions as would render them impolitic and difficult on the part of the landlord; and of securing the evicted tenant, if he fulfilled his contract, from the danger and fear of being thrown out upon the world without carrying with him a fair and reasonable compensation, not only for improvements he had effected, but also for the deprivation of those means of livelihood which had been afforded him by the occupation of the land from which he had been ejected. Why should not those equitable principles be applied to the Irish publican as well as to the Irish tenant? Why should he be thrown out on the world without compensation? Why should he, by one sweeping Act of the Legislature, be deprived of his means of livelihood? His licence was his tenant-right—why should it be destroyed? He was aware that the Legislature had always exercised the right to regulate the traffic in intoxicating drinks; but regulation was one thing, the extinction of a lawful day another. Regulation was one thing, total deprivation another. Regulation was one thing, confiscation another. When was such a change as this ever proposed before? The Bill of Mr. Bruce (Lord Aberdare) meditated no such revolution as this, yet that Bill embodied distinctly the principle of compensation. The amount, calculated on a period of 10 years, was deemed insufficient by the English Trade. But the principle was admitted; and having been admitted in the case of the English trader, how could it be repudiated in that of the Irish Trade? The right to compensation flowed naturally and inevitably from the right to transfer. If the publican had the right to transfer his licensed house, he had a right to compensation for the deprivation of that which gave to the house, in whole or in part, its value—the seven-day licence. That right of transfer had never been questioned in England, and it was confirmed last year in Ireland by the unanimous decision of the Court of Queen's Bench. The Lord Chief Justice concluded his judgment with these emphatic words:—

> "I do not think the Court should be influenced by any opinion that the number of public-houses in this city is an evil which should be diminished. If the fact be so, the authorities may most properly refuse to add to the number. But existing vested interests should not be extinguished, even with a legitimate object, without compensation."

It was settled law, which admitted of no controversy, that the seven-day licence in Ireland was a fixed and settled interest and a vested right. That vested right the Bill before the House rendered valueless in hundreds of cases, and seriously impaired in all. The House of Commons might, by the Bill before it, extinguish that right; but it could only do so by discarding its own precedents, annulling its own acts, and transgressing the Constitution itself.

MAJOR O'BEIRNE was of opinion that there was less necessity for this legislation than formerly, seeing that drunkenness was diminishing, and that the people of Ireland might be safely trusted to regulate the Sunday drinking. At the same time he would give his support to the Bill as an experiment; but he hoped the experiment would not be extended beyond a year.

SIR JOSEPH M'KENNA said, he had not intended to make a speech upon this occasion except for a discovery he had made in the course of the debate. He had received, within the last few days, a number of intelligent, impressive, and, according to appearance, sincere communications from friends of the Temperance Movement, and from gentlemen whom, he had no doubt, sincerely professed to be friends of his in giving him good advice on this matter. He was surprised to find that all these letters appeared to have been written, although it was hardly credible, in obedience to a Circular issued by a Sunday Closing Association, impressing upon the people to write to their Members, and thus bring pressure to bear on them in favour of this Bill. These communications had done one thing—they had reminded him that the majority of his constituents were in favour of this Bill; but the writers seemed to forget that the Bill now before the House was wholly different from that originally introduced. Then there was another point against the Bill. He was not aware that any Member of the House had attempted to show that the rural portions of Ireland had abused the privilege of being able to obtain liquor on Sunday; but all the evidence that had been brought forward in favour of the Bill had referred to the large towns; and the only fragment of the Bill which remained before the House was one which was of no use and might do a great deal of harm. Those communities in the vicinity of great towns who desired Sunday drinking would find themselves within easy distance of places where they could carry on their Sunday orgies, while the small but quiet places of Sunday resort in the country would be shut up. The Bill was for the repression of Sunday drinking in all places except those where it had been actually proved to prevail. He thought the hon. Gentleman in charge of the Bill, whose good sense and temper on all occasions commended themselves to the House, might fairly agree with the proposition that had been made by the hon. Member for Cork (Mr. Murphy), and that was to consent to the houses being kept open for three hours in all places in Ireland on Sunday. In this matter they must consider the temper of, comparatively speaking, an uneducated class of people; but who, however, had strong opinions on personal rights. If the Bill must pass, he was anxious that it should be one that the people could accept, and he was quite prepared to curtail the hours of drinking upon all days in the week; but that sort of legislation should progress gradually. It would be easy to evade the provisions of this Bill. The people had only to form themselves into clubs or friendly societies, or to join clubs and societies which already existed, and which took in members for the moderate subscription of 16*d.* per annum. Would it not, therefore, be better to educate the people into habits of temperance by the three hours' restriction on Sundays, than to interfere as this Bill would with the liquor traffic? In the cause of temperance, and with a view of having the thing quietly and amicably settled, and with a view of making the Bill more acceptable to the Lords—for he supposed it would go to the Lords, and he thanked God they had a House of Lords—he would rather have the Bill leave this House with a three hours' clause. For his own part, he had no wish to repeat the arguments which he had already urged against it; but he should notice one excuse for certain Members who made lengthy speeches on this subject, and it was this—Those who confined their remarks to a simple statement of their objections found that statement, generally speaking, reduced to a few lines in the newspapers next morning, while those who repeated over and over again the same arguments had, in reality, the whole substance of what they said given at greater length.

MR. SPEAKER: I must remind the hon. Member that he should confine himself to the Question before the House.

SIR JOSEPH M'KENNA: Sir, I have no more to say on the subject.

MR. O'SULLIVAN opposed the acceptance of this Report for many reasons. In the first place, it was class legislation of the very worst kind—class legislation imposed on the poor and working classes by the wealthy, and by those who would not be in the least affected by its operation. In the next place, he opposed it because he believed that, instead of having a sobering effect on the people, it would assist in demoralizing them. If people had respectable licensed houses to go to, they would come to little harm.

Notice taken, that 40 Members were not present; House counted, and 40 Members being found present,

MR. O'SULLIVAN continued: If the people had no respectable licensed houses to go to, they would be driven to the shebeen-houses, and drinking would go on in private houses with demoralizing effect. Another reason why he opposed the Bill was that it would confiscate the property of from 17,000 to 18,000 people in Ireland. It would take, at least, one-sixth of the receipts from the country publicans of Ireland without giving them any compensation. He was sure the House would not willingly sanction confiscation without compensation. And, lastly, he opposed the Bill, because he believed it was opposed to the feelings and wishes of the vast majority of those who would be affected by the Bill. He challenged its promoters to hold a duly placarded meeting in the Phœnix Park, Dublin, and let the people decide for or against the Bill.

Mr. SULLIVAN: It was done.

Mr. O'SULLIVAN: It was not done.

Mr. SULLIVAN: I pledge my word it was done.

Mr. SPEAKER: Order, order!

Mr. O'SULLIVAN challenged his hon. and learned Friend to call a public meeting at Dublin, and if that meeting was not more than two to one against the Bill, he would submit to it. The class affected by the Bill was the working class, and that class was largely against the Bill, and for that reason he should give the Bill all the opposition he could. It was well that the House should know what was in store for them. The friends of the measure had given notice that they were prepared to continue the Sitting through that, and, if necessary, even the following night. Well, if that were so, the opponents of the measure were not less determined to oppose, by every means and to the utmost extent, a measure which they regarded as one of coercion. He would show to the House that Irish opinion was in no way in favour of the Bill. There had been 888 Petitions, containing 235,553 signatures, against the Bill; while there had been 1,048 Petitions, with 313,403 signatures, in favour of the Bill. Well, that was certainly a preponderance of Petitions in favour of it. But in the last week of May, 23 Petitions were presented in favour of the Bill, and out of those 23 Petitions, which were supposed to represent Irish opinion, 12 were from England, 1 from Scotland, 1 was from the Society of Friends in Dublin, and 10 were from the rest of Ireland. Out of the 11 Petitions presented during the week ending the 9th of May, 9 were from England; and yet this House was made to believe that these Petitions represented Irish opinion, whereas the fact was that one-half of all the Petitions came from England. It was utterly untrue that the Irish were, as had been said, burning for this Bill. Two deputations had come from Ireland to support it; but the fact was that one of those were composed of two Scotchmen. One hon. Member had stated that he spent £3,000 a-year on this temperance agitation; and it was not to be wondered at, that, with such an inducement, Petitions and agitations and deputations should spring into existence. This was purely a Scotch Sabbatarian question, without any single element of Irish feeling in the matter. If the hon. Member for Kilkenny (Mr. B. Whitworth), instead of spending £3,000 a-year towards this agitation, were to devote that amount towards the improvement and the well-being of the working classes in his own neighbourhood, he would be devoting his money to something more tangible than an imaginary idea. It was an old argument—and a very fallacious one—that the Bill would check drunkenness in Ireland; but almost everyone knew that the amount of drunkenness on Sunday was not only comparatively, but absolutely small. The movement was purely a Scotch Sabbatarian one, and it received no sympathy from the Irish people. Of course, in this Sabbatarian question, he looked on the North of Ireland as Scotch. He would show how the question was regarded in the light of the votes of the Irish Members. Of these, 88 had voted one way or the other, while 15 had abstained from voting. Of the popular Home Rule Members, 29 were in favour of the Bill, and 20 were against it. Did that show that it was such a purely Irish idea that it should be forced upon Ireland? There were 8 Liberals for the Bill, and only 2 against it. He did not wonder at that, because the Liberals on the front Opposition Bench had made this a Party question. Of the Conservatives, 27 were for the Bill and only 3 against it; but, out of these 27, 19 represented the Sabbatarian North of Ireland. Take away the Sabbatarian North of Ireland, very little tangible support had been given to the Bill. By the Bill, as it stood, the people of the large towns who were accustomed to go on Sundays to suburban pleasure resorts for fresh air and recreation would be deprived of refreshment; while, on the other hand, the people of the suburban districts, if they wanted refreshment on Sunday, would have to repair to the large towns in order to obtain it. Moreover, the Bill would work very unfairly towards the different suburban pleasure resorts around the city of Dublin, because the public-houses would be open on Sundays in such places as were within the metropolitan area and closed in those which were not. Again, the measure would operate very inconveniently in many towns having a considerable population, and which had presented Petitions against it. Dundalk, for instance, a town with a large manufactory, had sent Petitions, with 1,750 signatures, against the Bill; while Rathkeale, a town in his own county, with a large market, and containing over 15,000 inhabitants in its district, had sent Petitions to the same effect with 2,500 signatures. On the other hand, the promoters of this Bill were most inconsistent; because, while they would inflict great hardship on all the small towns and country districts, where there was comparatively little drunkenness, by closing the public-houses on Sundays, they had accepted Amendments which would exempt the five most drunken places in all Ireland from the measure. In the city of Dublin, with a population of 255,000, the number of convictions for drunkenness in the year 1876 was 13,000; whereas in the county of Dublin, with a population of much more than one-half of that of the city, the convictions for drunkenness amounted to a little over 1,000, or only one-twelfth of the number in the city.

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MR. O'SULLIVAN resumed: In the city of Cork, with a population of 80,000, there had been, during 1876, as many as 3,920 convictions for drunkenness; whereas in the county of Cork, with a population of 517,000, the convictions had been only 5,600. In the city of Limerick, with a population of 49,000, the convictions during the same year had been 3,632; whereas in the county, with a population of 192,000, the convictions had been only 3,200, or 62 fewer. In the city of Waterford, with a population of 30,000, the convictions numbered 1,847. In the county, however, with a population of 123,300, there had been only 1,535 convictions. In Belfast, with a population of 174,500, there were, notwithstanding the piety of the people, 6,825 convictions; whereas there had been only 3,542 convictions throughout the whole of the county Antrim, with a population of 230,000. These facts showed that it was in the large towns the greatest amount of drunkenness prevailed, and that the rural districts were comparatively sober. With a strange inconsistency, however, they were asked to exempt those large towns from the operation of the Act and put restrictions upon the country districts where the people were sober, and such restrictions unnecessary. In other words, they drew a ring, and said to the people—"Within this line you may drink as much as you please, but outside it you shall not have a drop." The natural effect of this every Sunday would be to drive the people of the country districts into the large towns to get drink, reversing what they ought to do, which was to encourage the inhabitants of the large towns to seek healthful exercise in the country. The 25 Irish Members who were against the Bill had been said to represent scarcely any one but themselves, and the supporters of the measure were said to represent the opinions of an overwhelming majority of the Irish people. The fact, however, was that the two Members for Cork, representing a constituency of 15,635, were amongst the opponents of that Bill, and the total constituency represented by the opposition numbered 62,176, while the 64 Irish Members who supported the Bill represented a constituency of 154,831; so that with all the boasting they had heard about the almost universal desire in Ireland that the Bill should become law, there was not a very large majority of the people who took that view, if they were to judge of the opinions of the constituencies from the votes of their Representatives; and if they were to strike out the Sabbatarians of the North, it would be found that opinion was very nearly evenly divided on the subject. The Bill had its great support from the North, and he defied its advocates to point to any fairly convened meeting in the South at which resolutions had been carried in favour of the Bill. In Limerick, at a meeting which was largely attended by working men, the Bill was condemned almost unanimously; and in Cork more than one public meeting passed resolutions against it. If this were not a Sabbatarian movement, why was it proposed to close public-houses on that day of the week on which there was the least amount of drinking? There never were such facilities given by the Government for any private Member's Bill than for this one-sided measure, by which the working classes, whose wishes had not in any way been considered, would be principally affected. He should oppose the Bill at every stage and in every way he possibly could, because he believed it to be a coercive measure, which would deal a blow at the rights and privileges of the working classes.

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Mr. WHEELHOUSE said, that he should support the Amendment of the hon. Member for Guildford (Mr. Onslow). He had read somewhere, not long ago, a statement, the exact words of which he could not quote; but the meaning was so strongly impressed upon his mind that he ventured to give the sense of the passage. It was to the effect that the iteration and re-iteration of any calumny, by its mere continuance, would, in all certainty, cast a stigma—however baseless and undeserved—upon those against whom it was levelled. And there could be no doubt that the Bill now before the House did cast a most undeserved and unfair stigma upon the people of Ireland generally. He felt that, attempt to disguise this matter as they would, the truth, notwithstanding, was palpably self-evident—namely, that this Bill was partly teetotal and partly Sabbatarian in its origin; and he said he sincerely pitied alike the so-called religion and the ethics of any man who, except for example sake, would hesitate to do that on a Sunday which he thought fit to do on a Monday, Tuesday, or, indeed, any other day of the week. It had been broadly stated, on the introduction of this Bill, that it was designed to curb drunkenness, especially on the Sunday, in Ireland; and some Members were half led to believe that drinking was more rife on that day than on any other. But the mint, or, in other words, the organization, from which this Bill really emanated, being strongly suspected, inquiries were at once set on foot, and it was proved, unquestionably and unquestioned, that of all days in the week, throughout the length and breadth of the sister country, insobriety was on the Sunday the exception and not the rule. If, therefore, the real object was to curb or stop drunkenness in Ireland, why choose this, the most sober day of the week, as the one for this experiment? The simple truth was, that this fact at once and for ever stripped this plea of all its validity and all its strength. They knew very well by whom this movement was got up. He did not hesitate to say, by the teetotal organizations in the main, supplemented, doubtless, by some few so-called Sabbatarians, aided by some of the clergy of each branch of the Church Catholic in Ireland; but it was, to all intents and purposes, virtually an emanation from that school which was endeavouring, if possible, to stop the sale of intoxicating liquors, not only in Ireland, but throughout the world. His chief objection to the Bill, however, was that it sought, practically, to deal exclusively with a class which, as had been pithily observed that night, were very nearly powerless; because almost directly unrepresented in that House — namely, the wage-classes, alike of England and of Ireland. He hoped he might say for himself that he was as anxious as any man to promote sobriety by all legitimate means. No man could hold drunkenness in greater detestation than he did, and it was for that very reason that he was the strongest antagonist of the measure now before Parliament. He opposed the Bill, because he was satisfied if it were once to become law, the effect would be to increase illicit drinking to an inordinate extent. When the Bill was first introduced, its promoters brought it forward with not merely a "flourish of trumpets," but a fanfarronade to which all the teetotal bands, both in England and Ireland, might be supposed to have contributed. It was boldly represented that, from county Antrim to county Clare, the feeling of all classes was harmonious and unanimously in its favour; but subsequent inquiry had indisputably proved that not only was such feeling utterly fallacious, but wholly without warrant or foundation. It must never be forgotten, too, that this Bill was, in its inception, a measure for the total closure of all public-houses on a Sunday in and throughout the whole of Ireland. What was it now? Its promoters had chosen to sacrifice—nay, he might even say, to sell—the entire principle of their Bill, in order to obtain, in other words, in exchange for, some so-called "facilities" for insuring its passage through this House. He did not believe in any such compromise of vital and fundamental principles; he, for his own part, would rather have thrown up the Bill altogether than have sold its very principle in any such manner, or have consented to its emasculation in any such fashion. Its promoters had abnegated the principles on which they had elected to stand, and the whole of their theory had been blown, like an exploded bubble, to the winds. All that this Bill, even if it passed in its present form, could possibly effect, would be to prohibit reasonable refreshment in the small, sparsely-scattered country villages; while, in the five large towns—where, if at all, restriction was demanded—every facility that now existed was to be continued in full force, notwithstanding that it was said, rightly or wrongly, these were the very places most requiring restriction and prohibition. So much, then, alike for principle and the love of it. If this Bill were really to have the effect of restricting or restraining drunkenness, and it was, therefore, a proper measure to apply to the small towns, why not to the larger, which assuredly stood, if at all, more in need of it? Was it, or was it not, true, that the convictions for drunkenness were almost, if not entirely, equal, in these five towns, to those in the whole of the rest of Ireland? Why, then, be content to restrict the operation of the Bill to those parts of the country wherein it was least required? This Bill ought not to be considered on the principle of compromise; and if it became law in its present form, the result would necessarily be a continued agitation to enlarge its operation; because, if once granted for any part of Ireland, could it be doubted for a moment that its promoters would instantly, before the ink of this law was dry, recommend an agitation for its imposition on the remainder of Ireland; and then how could it be said, with any logical fairness, that its principle was not equally desirable and applicable in the case of England also? Such an agitation, continued as it most undoubtedly would be, could not fail to be most detrimental to the peace and, indeed, the best interests of both countries. The several Governments which had occupied the Treasury Bench had each and all been charged, rightly or wrongly, over and over again with passing Acts of coercion as to Ireland; but here was a proposal, emanating mainly from the Irish Members themselves, at the instance—he did not like to use the word instigation—of a few priests and clergymen, supplemented, probably, by the feeling of the Presbyterian element in the Northern Provinces of Ireland and the teetotallers, to coerce, in the most tyrannical fashion, the whole wage-class of that country, by seeking to prescribe what a man's conduct should be in the sanctity of his own home. This was to be undertaken in order to satisfy the narrow notions of those who considered intoxicating drink a very naughty and objectionable thing. So long as the limits of the law were not overstepped or transgressed, what right had any man living to tell another what he should eat or what he should drink, any more than to say wherewithal he should be clothed? It had been said, he believed, by a Bishop of the English Church, that he would rather see England free than sober. He (Mr. Wheelhouse) was not a clergyman, and if he had made such a statement, probably it would have been somewhat scornfully received; but when it came, sanctioned—he had almost said, sanctified — by the mouth of an English Prelate, he could most cordially endorse the sentiment thus openly expressed, and he would extend it alike to Ireland and to this country. He himself had no earthly interest in this Bill, or those upon whom it bore more especially, either in regard to the Trade subject to its influence, or in any other way, beyond this—that he, for one, was determined to fight for, to maintain, and to preserve, if possible, intact and unimpaired, the freedom of his fellow-countrymen and fellow-subjects. He was bound to say that he had no sympathy with that class of self-styled religionists who thought it almost, if not absolutely, a sin even to take a quiet walk on a Sunday, to whom any amusement, however innocent, was utterly "taboo;" and whose sole notion was that the only thing to be done on that day was to go to church or chapel, under the fear of some dread and unknown penalty for omission, and to be seen—if at all—demurely with a bible and hymn-book under their arms. If he might venture to say so, with all due reverence, such ideas seemed to him to savour of the weak folly of some poor finite understanding setting to work in the vain and futile effort to correct the dispensations of that great unseen and illimitable Providence which, in His goodness towards man, saw fit, while guiding our weak footsteps, to allow the air to blow, and creation to move in His own appointed blessed way, as well on Sunday as on other days of the week. One or more of the Irish Bishops had already succeeded by persuasion in closing, it was said, all such houses on the Sunday. All honour to them for having done so; but for that very reason he protested against doing that compulsorily and by Statute, which it was thus proved could be effected when it was either desirable or necessary, without the intervention of the law. His anxiety was, as he had said before, to save the freedom of his fellow-subjects in the due exercise of their own individual discretion in all matters relating to their domestic habits and requirements; and in reference to them, he could no more permit needless interference of this character than he could allow it, if it were possible to prevent it, in his own personal case. If this Bill were, in fact, a perfectly free measure, which would put men of all classes on a footing of precise equality, then something might possibly be advanced in defence of it; but seeing it could only affect the comfort of the wage and under-middle class in Ireland, he must give it his strong opposition. It was clear that such a measure as this ought to be made to include either the whole of Ireland, or ought not to become law at all. The Forbes-Mackenzie Act, of which so much had been said, and which he, individually, disliked as much as possible, at all events had this merit or demerit, call it which they would—that it was felt in Edinburgh, Glasgow, and the most remote corner of the Lothians and the Highlands alike. Could it matter for the purposes of legislation such as this where the Tweed flowed or the Irish Channel rolled? Surely not. If this measure were founded on the immutable principles of equity, so surely also ought Dublin, Belfast, and Cork to have been included in its provisions; and while, therefore, he supported the proposal of the hon. Member for Guildford, so must he continue to give his opposition to this Bill in every way within his power.

Mr. STACPOOLE not only protested against the principle of the Bill and its thoroughly unconstitutional provisions, but must condemn the unfair manner in which it had been pressed forward, and the facilities afforded the promoters by the Government for its consideration, to the detriment, if not the defeat, of the Intermediate Education (Ireland) Bill. To those who understood what the Sunday Closing Bill really meant, it was most unacceptable; while those who did not understand it required further time for its consideration. He maintained that if it was good for one part of Ireland, it was good for all. It was good for none; and he protested against its interference with personal liberty. Why should not a man have his glass of beer if he wanted it? A glass of beer was very refreshing at the end of a long walk. ["No, no!"] The hon. Member who said "No!" had evidently never tasted beer. He held in his hands Memorials most numerously signed by members of the Trade in the county Clare in favour of the Amendments proposed by the hon. Members for Cork and Meath; and if the Bill were carried—which he sincerely hoped it never would be—he trusted that compensation of the most liberal character would be given to those who were about being deprived of their seventh-day licence. He warned the House against encouraging the growth of shebeen-houses, the inevitable result of closing the licensed public on Sundays, and he called upon the promoters of the Bill to withdraw it, at all events for the present Session; so that, if it were again to be re-introduced, what it proposed to enact might be thoroughly looked into.

Mr. ISAAC said, although much had been said on the subject before the Committee, it was not exhausted. It was true the arguments had all been on one side —the promoters of the Bill not having on any occasion attempted to reply to the arguments of those who opposed it. He had made many inquiries as to the requirements of the Irish people, and he was satisfied that though there might be a large number in favour of this Bill, the great majority of the Irish people were decidedly opposed to it. The Government, no doubt, had made inquiries on this subject; but the information they obtained must have been entirely different to that received by him, or they would not have given such facilities to the promoters of the Bill, after refusing to give them to many other important measures now before Parliament. Like the hon. and learned Member for Leeds (Mr. Wheelhouse), he had opposed the Bill on principle from the first. He believed the great bulk of the Irish people no more wished for such a measure than the great majority of the English people required such a measure for this country. He desired to put an end to drunkenness by example and moral influence. People ought not to be deprived of their ordinary beverage on Sunday because there were a few who would abuse the privilege of obtaining it. He hoped the Bill would be withdrawn, so that the people of Ireland might be able to express their opinion on the details of the scheme between the present time and next Session.

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MR. ISAAC resumed: He objected to the Bill as a class legislation, inimical to the welfare of the country, because it would deprive the great mass of the people of Ireland of their just rights. If the majority of the people of Ireland were anxious to have the public-houses closed on the Sunday, they would not petition the House nor trouble their Representatives; but they would keep away from the public-houses, and render it unprofitable for the publicans to take out seven-day licences. If the publicans desired to close their houses on Sunday, they would do so by taking out six-day licences, thus saving one-seventh of their expenses; and in neither of these cases would an Act of Parliament be required beyond what already existed. It was unwise to attempt to coerce people in such a way as to foster an illicit trade; and this was shown by the increase of Sunday drunkenness in Scotland, which was clearly indicated by the Returns obtained last Session, in spite of the denial of the hon. Member for Dumbartonshire (Mr. Orr-Ewing), who had impugned the accuracy of what he (Mr. Isaac) had said in a former debate. He now desired to say he believed the Returns made to Parliament were always based upon facts obtained from official Records, and were at all times to be relied upon as correct—thus proving the Forbes-M'Kenzie Act to be a failure. Within the last few days an incident had occurred near Cork which would astonish the supporters of the Bill. The account of it in the Cork daily paper was headed—" Dreadful faction fray; four men in danger of death." This happened on the Sunday, although, in that part of Ireland, all the public-houses were closed on the Sunday. The men were intoxicated beyond self-control, and must have got drunk on Saturday night or on Sunday from drink purchased on Saturday. Two families had quarrelled on a recent Saint's day; they attended Mass on Sunday morning, and in the afternoon they met, with the results stated. He asked the House, and the promoters of this Bill in particular, if anything more disastrous than this could have occurred if all the public-houses in Ireland had been open? They had a Bill, which proposed to deprive a large portion of the Irish people of a measure of their rights; and yet the promoters of the scheme did not appear to have power to say one word in answer to the arguments advanced against the proposal. The hon. Member who had charge of it (the O'Conor Don), however, had destroyed the only principle there was in the Bill, when he exempted the five large towns in Ireland from the measure. The principle of the Bill was gone, and now they had a sort of mermaid Bill—neither fish nor flesh. Had the hon. Member stood to his original Bill, he might have passed it much more quickly than the Bill now before the House. If they adopted the principle of Sunday closing of public-houses in Ireland, good; if they excluded five towns from the operation of the Bill, what became of the principle of Sunday closing? What was there in the population of big towns which made it desirable to keep the public-houses open, while the public-houses in smaller towns were to be closed? He maintained that in all those places where the people, or where the owners of houses desired that they should be open, they ought to be allowed to be opened. When it was wished by them that they should be closed, that would be done without the assistance of Parliament. He would give his support to the Habitual Drunkards' Bill, or any measure that would go to prevent drunkards doing injury to themselves or others. He supported Bands of Hope, Temperance Societies, Good Templars, and other like institutions, because each in their way did much good; but he contended there was no need for Parliament to pass measures that should deprive majorities of Her Majesty's subjects of their rights on the demand of minorities. The House might be assured that they would not see the end of the Bill that day or the next. It was a disagreeable subject, and would become much more so the more it was discussed. He suggested they should agree to a compromise. Let those who occupied both sides of the House — the supporters and opponents of the Bill—go out and settle it, and return to the House with their scheme prepared. Before concluding, he desired to repeat what he had already said, that the Bill entirely changed its character when the promoters accepted the Government Amendments; and if they admitted the principle of exemptions, why not extend it? What was good for Dublin, Cork, Limerick, Waterford, and Belfast, surely could not be objected to for other large towns. But then would come the question of what was a large town? For this purpose he should say any town of 400 inhabitants would be a very large one, and should be exempted from the operation of the Bill. They—the opponents of the Bill—did not object to the various Temperance Societies to which he had referred; but they did object to this improper and unnecessary interference with the rights of the majority of the Irish people. If this Bill was to become law, he would move that all clubs in Ireland should be included in it. He regarded the measure as being a coercion Bill of the worst character; and it would be looked upon, he believed, by the people of Ireland as being the worst coercion Bill to which they had ever been subjected. The opponents of the Bill desired to join with its promoters in the effort to attain the laudable object they had in view. They all wished to forward the cause of temperance; but they objected to an interference with the rights and privileges of those who were not intemperate, but took a moderate quantity of drink at a time when they required it. He objected to a Bill being forced down their throats, which was as unpalatable to them as would be a Bill which insisted upon every man being a drunkard, and he hoped the House would reject it.

Mr. M'CARTHY DOWNING regretted that there was not a larger attendance to listen to the speech of the hon. Member (Mr. Isaac). He (Mr. Downing) wondered what the impression of a stranger present at the debate of that evening would be when he saw that for several hours there were present 20 or 25 Members only, and that when each speaker sat down 15 or 16 Members rose in their places to oppose the Bill, while not one of the advocates of the measure made any sign of rising. The Bill was introduced early in the Session; it was read a second time by surprise. ["No!"] Well, the Irish newspapers said by a trick; but, however that might be, it was notorious that the Government were opposed to the Bill. What happened? Her Majesty's Government said to the promoters of the Bill that five of the largest towns in Ireland must be excluded from its operation. The measure was sent to a Select Committee, which was presided over by the then Chief Secretary for Ireland (Sir Michael Hicks-Beach); 37 witnesses were examined, and by a majority of 2, the Committee decided that the five towns in question should not be excluded. The Government disregarded this recommendation, and said to the promoters—"Agree to the exemption of these five towns, and we will assist you in carrying the Bill." This course, with singular inconsistency, the promoters of the Bill accepted; but it was one which he hoped the House would not approve. His hon. and learned Friend the Member for Louth (Mr. Sullivan), anticipating that this Bill would have passed easily, had brought in a Bill to close the public-houses at 7 o'clock on Saturdays; and if that Bill had been brought on instead of this, he should have supported it, because that was the measure which was really wanted in Ireland. The statistics which had been quoted, and the opinions which had been read, showed that the Bill was opposed by the majority of the Irish people. He considered that the conduct of the Government was censurable in accepting such a compromise as had been agreed to; and he was perfectly certain that the

Grand Jury Law Amendment Act, which had been looked forward to for many years past, would be more acceptable to the Irish people than such a measure as this, which was in contradiction to the majority of the feeling in Ireland. In his capacity as a magistrate, he knew that Sunday was the day on which there was the least drunkenness; and yet it was proposed on that day to close the public-houses in all parts of the country, except those few in which drunkenness really prevailed to any extent. As a matter of fact, the Bill, in its present form, was a mere skeleton of what it originally was, and was, moreover, in contradiction of what even its supporters wished for. He had seen a report of a meeting held in the Exhibition Palace at Dublin, and presided over by his hon. and learned Friend the Member for Kildare (Mr. Meldon), at which a resolution was passed supporting the Bill, but begging that Dublin might not be excepted from its operation; yet the promoters of the measure had gladly assented to the proposal of the Government to except Dublin and four other large towns from its operation. Circulars had been sent out, and he, amongst others, had received one, requesting hon. Members to withdraw their opposition; and had it not been for the stringent instructions therein, he, in all probability, would not have spoken on the question now. He was of opinion that this measure would not be of any benefit to the people of Ireland; if he thought it would, he would be prepared to go as far in respect to this Bill as the hon. Member for Roscommon (the O'Conor Don). The *bonâ fide* traveller was to be exempt from the operation of the Bill; so that while in Bray and Howth the respectable inhabitants would not be able to get a glass of beer on Sunday, anyone coming to those places from Dublin could get as much as he liked. It was urged that this coercive measure would have the effect of repressing drunkenness. He should like to give a few statistics touching the result of the Licensing Acts of 1872 and 1874 in the three Kingdoms; but he was sorry to say that his remarks would have no effect on the Treasury Bench. At one time during the evening that Bench had been empty; but from its present condition he did not think it was much better. He did not speak in a low tone of voice; but he had found it perfectly impossible to waken the Chief Secretary for Ireland and the Secretary to the Treasury. In 1861, in England alone, 17,059 persons were taken up for drunkenness and disorderly conduct; in 1871, 24,000; and, in 1876, after two Acts had been passed to suppress drunkenness, 32,000. In Glasgow, which was supposed to be a model of sobriety, after the Forbes-Mackenzie Act was passed, no fewer than 36,682 people were arrested for drunkenness. The Irish were not at all a drunken people. There was nearly three times more drank per head in Scotland, and twice in England, as in Ireland; and yet they were told that the Irish people required an Act of coercion to prevent them from enjoying the Sunday as the people of England did. On a previous stage of the Bill, the right hon. Gentleman the Member for Greenwich (Mr. Gladstone) came down to the House between 2 and 3 o'clock in the morning to support the Bill, because he thought the majority of the people of Ireland desired that it should be passed. But on other questions there was far more agreement between the Irish Members than on this; and yet English Representatives did not support, but opposed, the wish of the majority of Irish Members with reference to those questions. It would be seen at the next Election whether the opponents or the supporters of the Bill would receive support from the bulk of the Irish constituencies. This Bill was supported by an unnatural combination. The Members of the front Opposition Bench, although they were absent when an important subject affecting the poor of Ireland and Scotland was under discussion last Friday, were here to-night to support this coercion, and were united on this question with the Government, who would if they could throw out the Bill. That was what he called an unnatural combination. He disclaimed any intention of speaking against time, a sort of tactics he would not lend himself to. He spoke because his judgment and his conscience told him that the Bill was one that the people did not want, and one which the majority of the people was opposed to. If the House was wise, it would reject it. He would again appeal to the hon. Member for Roscommon to pause before he pushed this

Bill to extremities. Let him either withdraw the Bill or accept a clause to allow the public-houses to be opened for three hours on Sunday in every town with over 400 inhabitants. The county Roscommon, with a population of 150,000, had only four towns with more than 500 inhabitants; and surely these four towns were not too much for the supply of the reasonable wants of 150,000 people? If the hon. Member for Roscommon accepted the suggestion he had made there would be no further opposition to the Bill.

THE O'DONOGHUE said, he did not wish to let the Bill enter upon another stage without recording an emphatic protest against it. It was no great concession on his part to admit that the majority of the Irish Members had declared themselves in favour of the Bill; but he contended that there were circumstances which deprived the majority from having that influence which they, under another state of things, should exercise. The exceptional circumstances to which he alluded were as follows:—This measure was not the result of a popular cry, and yet it proposed to deal with matters affecting the individual liberties of almost everyone in Ireland; the people never asked for this Bill, and its promoters were anxious to pass it before the constituencies could express any opinion on the matter. The subject was not before the people at the last General Election, and the majority of Irish Members favourable to the Bill had been influenced by the action of agents of certain Associations in Ireland and by the untiring exertions of eminent teetotal Members of the House of Commons. He submitted that before they accepted the statement that Ireland wanted a Sunday Closing Bill the House should have before it the distinct declaration of the Irish constituencies. The Bill was opposed to the convivial habits of the people; and it was a well-established fact that any attempts to apply such legislation to England would lead to a revolution, and that in Scotland and America, where this capricious restraint had been imposed, it had been owing to the spasmodic energy of some few individuals whose zeal had secured for them a passing triumph over the common sense of their countrymen. Such a Bill would not restrain drinking. The Irish people did not want a Sunday Closing Bill, and he found it difficult to believe that the Bill in its present state could be accepted by its promoters. They set out with the statement that nothing but the total closing of public-houses on Sunday would satisfy them or the people of Ireland; and if this House did not give them this Bill the House would be trampling upon the just and lofty aspirations of the people. The argument of the hon. and learned Member for Louth (Mr. Sullivan) appeared to him one of the most extraordinary rhetorical flourishes to which he had ever listened. The hon. and learned Gentleman's sagacity, however, was so great that it must be owing to his (the O'Donoghue's) own want of intelligence that he was unable to comprehend his argument. The only meaning he could attach to the hon. and learned Gentleman's observations was, that the Irish people were torn by conflicting desires on the one hand, and by a burning desire to keep out of the public-houses; and, on the other hand, by a burning desire to get into them, and in the dread and fear lest the latter desire should get the better of the former, unless they could summon to their aid an Act of Parliament and police supervision. In accepting, however, the Amendments of the Government, the hon. and learned Gentleman gave up the entire principle of the Bill; for if in all the large centres of population the public-houses were still to be open on Sundays, then the question of Sunday closing was to remain as a monster in the womb of futurity. The fact was now apparent that Government could not be induced to give any support to this Bill, except on the understanding that it should be altogether stripped of the principle on which it had been introduced. That was what was to have been expected from an Administration anxious to oblige the supporters of the Bill; but, at the same time, resolved never to give legislative sanction to their aspirations. The Government in the countenance which they gave to this Bill had altogether disregarded logic, and had taken their stand on the ground of expediency. In his opinion, however, the countenance which they lent to this measure was unworthy of their statesmanship, and of any statesmanship which was guided by reason. That a man having the good-fortune to live in a town of 50,000 or 80,000 inhabitants should have the right to enter a public-house and sit down and enjoy himself with his friends, while another person, having the ill-fortune to live in a small town or in a country district should be prevented from doing so, was an arrangement for which no satisfactory reason could be given. If he lived in Dublin, Cork, or Limerick, he might avail himself of those relaxations which every person in France, in Belgium, the other parts of the Continent, and the greater part of America might enjoy; but if he lived in Tralee, in Mallow, in Banagher, or any other of the small towns in Ireland, he was to be precluded from using public-houses. The most that could be said of the Bill in its present form was, that owing to the exemptions introduced into it by the Government, the number of those who would be inconvenienced and worried by it would be considerably reduced; but why, he would ask, should any one man in Ireland be made the victim of such capricious legislation? The Bill, as it had been introduced, was based upon the principle that the whole population of Ireland should be compelled to keep clear of the public-houses on Sundays. To this Government had strong objections; and they were now asked to pass a Bill which capriciously told one set of men that they might get as drunk as they pleased upon Sundays, while it told another set of men that they were not to be at liberty to do so. The principle of the Permissive Bill was intelligible. It assumed that in some districts the majority of the inhabitants might wish to have the public-houses open, while in other districts the majority might wish to keep them closed, and it would enact that the will of the majority should decide the matter. It had never, however, occurred to the hon. Gentleman the Member for Carlisle (Sir Wilfrid Lawson) to propose that where there was a crowd the people should drink as much as they pleased, and that only those who were members of small populations should be precluded from doing so. Under those circumstances, he confidently and earnestly appealed to the House not to inflict such a piece of capricious legislation upon Ireland. His hon. Friend the Member for Roscommon (the O'Conor Don) was, he thought, bound to withdraw this Bill, as it was wholly untenable. The time was not far distant when there would be an opportunity to refer the whole matter to those whom it really concerned—to those who were alone competent to decide it. Should it appear to be the wish of the Irish electors, speaking at a General Election in a constitutional form, to compel the whole population of Ireland to abstain from the use of any alcoholic drink on Sundays, then, much as he might question the wisdom of any such decision, he would feel bound to respect the expression of public feeling as authoritatively enforced; but until he had from the Irish people such an expression of opinion, he would disregard the fuss and talk of a few teetotal Members who wished to force this measure upon the people of Ireland. Among them the hon. and learned Member for Louth (Mr. Sullivan) occupied the first place. According to that hon. and learned Gentleman, the Irish people were the most moral, the most religious, and the most drunken people in the world, and that, accordingly, their most ardent wish that immediate steps should be taken to lock them out of the public-house; for that, with all their morality and religion, they were in a state of habitual intoxication. If they were to only see the hon. and learned Gentleman's testimony, no matter in what part of the world they saw a man stagger, they might at once come to the conclusion that he was an Irishman; and he could never forget his action on the occasion, as if he felt it necessary to give the House an ocular demonstration of the horrors of drunkenness, and had for that purpose studied the physical condition of one of his acquaintances after a night's debauch. The hon. and learned Gentleman was practical on all other questions. He (the O'Donoghue) would urge upon the House not to let itself be persuaded that there was a general feeling in Ireland in favour of Sunday closing. After its defeat last year, the teetotallers promised a great commotion in the autumn; but the agents of the Association had principally employed themselves in filling up a Memorial, which was almost exclusively signed by persons by whom public-houses never had been, and never would be, used. The movement was almost expiring, when it suddenly revived under the patronage of the right hon. Gentleman the Member for Greenwich (Mr. Gladstone). The right hon. Gentleman was a host in himself, and nothing could be considered insignificant that was so fortunate as to obtain his patronage. A copy of the Memorial was sent, and the right hon. Gentleman, of course, replied—he imagined not on a post-card—and, of course, the greatest possible publicity was given to his answer. It struck him that the right hon. Gentleman had replied in a hurry, for he stated that the "Memorial was highly creditable to Ireland." In what way was it creditable to Ireland? It was nothing more than the expression of the wish of a few individuals that the mass of their fellow-countrymen might be subjected to restraints from which the Memorialists by reason of the affluence of their position would be free. Sunday was the day selected by the Memorialists for jollification, in which drink formed a very considerable ingredient. If the Memorialists had said that, for the sake of example to their fellow-countrymen and for the encouragement of temperance, they were willing to abstain from the use of alcoholic liquors on Sunday, one could have understood the expression of the right hon. Gentleman the Member for Greenwich that the Memorial was creditable to Ireland. He wished someone, in the absence of the right hon. Gentleman, would rise on his behalf to explain in what way the Memorial was creditable to Ireland. The laudation bestowed on the Memorial by the right hon. Gentleman had led many innocent persons to imagine that it had some irresistible significance, and it had done much to perpetuate a most undoubted delusion. There was no ground whatever for the statement that there was anything approaching a universality of desire in Ireland among any class for Sunday closing. Dr. Dorrian, one of the Roman Catholic Bishops of Ireland, most emphatically condemned the Bill. He had a list of a great number of places from which Petitions had come, and they were very important, and well worthy the attention of the House, as they included many of the most important towns in Ireland. It was clear, apparently, that the great mass of the people did not wish for Sunday closing; but the most aggravating argument in favour of the Bill was that the people did not know what was best for them. In that case, he presumed they would have to be guided by persons whose only claim to consideration was their superior sanctity and godliness. They did not appear, however, to thrive on the regimen they had adopted for themselves and wished to prescribe for others. Judging by the specimens that were seen about the House on the occasions of temperance debates, he thought it would be impossible to find an equal number of people so thoroughly answering to the description "thoroughly out of health." He had often wished that they could be got together somewhere where they could be closely observed by our great medical men and utilized for scientific purposes. Supposing the opponents of this and similar temperance Bills were to turn round on their teetotal friends, and say—"You are not well; it is perfectly clear that abstinence from alcoholic liquors does not agree with you. You unnatural fellow—your attenuated limbs, your want of ordinary corporeal development, in short, your general state of emaciation clearly proves that you stand in need of a little alcoholic stimulant, and take it you must. We shall introduce a Bill to compel you to imbibe good sound port." How would the teetotallers like that? Seriously, however, it would be quite as reasonable to pass some such Bill as to prohibit persons from entering a public-house on a particular day of the week. Evidently, the Bill would interfere with the liberty of each individual in all those cases in which it was most desirable that he should use his own judgment. The theories of the promoters of this Bill were plausible, and their aims illusory. Such men were always entitled to forbearance, and must ever excite curiosity. He believed they performed in society a very useful part, in suggesting to practical men that judicious middle course which enabled them to get on quietly together. A moderate compromise had been offered by the hon. Member for Cork (Mr. Murphy), which must approve itself to the general sense of the House. As the Bill stood, he should at every stage give it his most determined opposition.

Sir JULIAN GOLDSMID thought the conduct of the Government with reference to this Bill had been throughout most extraordinary. Any hon. Member might search the Records of

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the House in vain, for an instance of a Government which, although constantly informing the House that it was most anxious to pass its own Bills, nevertheless gave such facilities to the Bills of private Members, as practically to prevent the passing of its own measures. The House had spent three nights in discussing this Bill, which they were told it was the desire of the majority of the Irish people should become law; but it was the first time that the Government had shown any disposition to bow to the wishes of the majority of the Irish people. There must be something behind that anxiety. On more than one occasion, endeavours had been made to carry Bills in which the Irish people had taken the greatest interest. There was, for instance, the Bill for enlarging the borough franchise in Ireland, which was supported by the great bulk of the Irish people; but in respect of that measure, the Government forgot all its regard for the wishes of the people of Ireland. At the beginning of the Session a long list of Bills was produced by Irish Members, which would have filled every spare Wednesday during the Session; but the Government did not give them facilities. Why should they have the Contagious Diseases (Animals) Bill, in which so much interest was taken, the Valuation Bill, the Highways Bill, the County Government Bill, or even the Intermediate Education (Ireland) Bill, postponed for the measure of a private Member, in regard to which, notwithstanding what the Government had said, the Irish people did not appear to be agreed, and which he was quite sure the Government itself did not approve of? At an early stage of the Bill, the Government opposed it; but afterwards they offered the promoters facilities, provided certain Amendments were accepted. But there were limits to facilities — there were facilities and facilities — and it was very strange, at the end of a long Session, to find a Government night devoted to such a Bill as the present. And with what result had this been done? They had spent six hours in making no progress. This ought to be a lesson to the Government not to give facilities in the way they had. Moreover, the right hon. Gentleman the Chief Secretary for Ireland did not, of course, like this Bill; he had seen a good deal of that sort of thing, and knew how much humbug there was about it. The right hon. Gentleman knew that the people who promoted the Bill were not men whom they could trust; because the principles contained in the Bill were not their true principles. Their real principles were those of total prohibition, and that measure was only used by them as the thin end of the wedge. He was informed, on credible authority, that since the passing of the Forbes-Mackenzie Act more whisky and less beer had been consumed in Scotland, and drunkenness had largely increased; whereas in Ireland, at the present time, the consumption of whisky on Sunday was diminishing, and that of beer, which did not intoxicate, was increasing. On the best authority, he had been assured that the experiment tried in Scotland had been a failure; and he further asked why they should apply to Irish labourers a measure they would not be willing to apply to England? The Government had shown a great want of judgment in giving the extraordinary facilities they had for this Bill; and the House had a right to complain that measures promoted by the Government, and in which all parties took the greatest interest, had been postponed for a miserable Bill that could do no good, and would, in all probability, do much harm. In his opinion, the Government ought now to propose the adjournment of the discussion, and allow the House to finish the evening with some measures which might be of more use to the country than the one under consideration. He hoped, also, that no more would be heard as to giving facilities to the hon. Member for Roscommon (the O'Conor Don). But if the Government did not adopt the suggestion he had thrown out, he would make another—namely, that they should allow the Bill to pass on one condition—that it should only apply to Roscommon. That would be a fair test. Let the hon. Member try the Bill in his own district, if he believed in it. If it answered, then he might have some argument to bring before them. At present, judging from the effect of the Forbes-Mackenzie Act in Scotland, it was not likely to be successful in Ireland. It was a most remarkable fact that the promoters of the Bill did not appear to believe in it themselves; for if they did, they would have had something to say for it, instead of only indulging in uncivil and derisive cheers, whenever an opponent of the Bill made a point against them. He had been in the House some years, and regretted to find that a system had been adopted which did not add either to its character or dignity. He trusted that system would not be pursued on a future occasion; for he felt sure that their debates would be better conducted, if they showed that courtesy to one another which was due to gentlemen.

Mr. M'LAREN said, that the hon. Member for Rochester (Sir Julian Goldsmid) had broadly stated that the Forbes-Mackenzie Act had been unsuccessful in Scotland. Perhaps he might be allowed to say, without being accused of egotism, that he knew a good deal more about the effects of that Act in Scotland than the hon. Member could be supposed to know. With the passing of that Act he had had something to do, and he had since had a great deal to do with the state of public-houses and drunkenness in Scotland. As Chief Magistrate of the city of Edinburgh before and after the Act was passed, and having been since closely connected with the city, he had come to the conclusion that the Act had greatly diminished drunkenness. For the last 26 years the authorities of Edinburgh had had public statistics compiled, showing the number of apprehensions for drunkenness as well as for every other crime; and, so far from there having been an increase in drunkenness, as stated by the hon. Member, the statistics showed that there had been a very large decrease. In 1852, before the Forbes-Mackenzie Act was passed, there were 729 persons apprehended as having been found drunk in the streets of Edinburgh in the course of that year on Sundays. In 1877, the number of persons apprehended under the same circumstances in Edinburgh on Sundays was reduced to 201. That was what the hon. Member for Rochester called a great increase in drunkenness —namely, a reduction from 729 to 201! Perhaps the Sunday statistics he had quoted were not to be so much regarded as an effective test upon the question of Sunday drunkenness, from the fact that they showed the number of persons apprehended in the 24 hours between 12 o'clock on Saturday night and 12 o'clock on Sunday night. Therefore, many persons would be put down in the statistics as having become drunk on Sunday who had become intoxicated on the Saturday night. But the authorities had another series of tables, showing the number of persons apprehended between 8 o'clock on Sunday morning and 8 o'clock on Monday morning, and he maintained that those tables were the true test of Sunday drunkenness. He would now state the results of those tables. In 1852, there were 401 persons apprehended by the police for being drunk between the hours he had last stated. In the last year for which the statistics had been compiled—1877—the number apprehended, under the like circumstances, had fallen to 54. Thus, instead of an increase, as stated by the hon. Member for Rochester, the figures showed that there had been a falling-off in the number of persons found drunk, from 401 in 1852 to 54 in 1877; and yet the population of the city had increased by about one-third during that period. Having paid great attention to these questions and seen the results in other towns, he must state his opinion that the Forbes-Mackenzie Act had been of incalculable benefit to the people of Scotland in diminishing drunkenness on Sundays, so much so that there was now no question in Scotland as to the repeal of the Act. The Act had given satisfaction to all parties in that respect, and he did not believe that even 100 publicans could be found in Scotland to ask for its repeal. He had thought it his duty to make these statements with regard to the working of the Forbes-Mackenzie Act, and should not have spoken on the subject had not the success of that Act been impugned.

Mr. W. M. TORRENS protested against the inferences drawn by the hon. Member for Edinburgh (Mr. M'Laren) from the statistics he had quoted. All his life he had been afraid of statistics, and there was a growing conviction in his mind that nothing more hazardous could possibly be conceived than to ask the House to be governed by inferences from undiscerningly culled and imperfectly boiled statistics. Statistics needed a great deal of boiling down and judicious seasoning to make them really good for food. He often thought how true was the wise axiom of Swift, who said—"Arbitrary laws are like nets which catch weak flies and let wasps and hornets break through." A Sunday Closing Bill was a law of this kind which would entangle and worry the harmless ones, but would fail to stop the vicious in their courses. There was no possible fallacy which could not be reduced to the same category. He believed that by statistics anything on the face of the earth could be proved. After this Bill was passed, they were certain to have a similar measure to the Forbes-Mackenzie Act attempted to be forced upon England. Being anxious to inform himself, not by statistics, but by personal and direct testimony, as to the working of the Forbes-Mackenzie Act in Scotland, he took an opportunity of inquiring of a well-known Presbyterian of high standing who had filled the post of Moderator of the Synod of Ulster. He asked that gentleman whether the ministers of his communion were in favour of extending the Scotch Act to Ireland? The reply was—"That, of course, they were in favour of it, because it was the fashion to say so." But when asked whether he believed it would suppress drunkenness? he answered—"Oh, dear no! I believe it would not have the slightest moral effect in Ulster or anywhere in Ireland. I spent my last vacation in Scotland amongst my own people, and, accustomed as I am to the faults of the Irish people, I think I never saw so much whisky drank on a Sunday." The fact was that the Forbes-Mackenzie Act had prevented drunkenness in the highway and increased it in-doors. The net result of Sunday repression was to shut up—to bottle—drunkenness; and then the advocates of the measure came down to the House and tried to mistify hon. Members about the beneficial effects of the legislation. He believed it was the greatest mistake in the making of laws to affect to treat vices as if they were crimes. It was impossible to treat any other sin or mischief in society in the same way in which drunkenness was attempted to be dealt with. But, owing to the progress of society, drunkenness had become a vulgar sin, and gentlemen no longer openly committed it; and, because it did not affect their gratifications or their pleasures, hon. Members thought fit to make a class law against the poor man's indulgence in alcoholic beverages. If it were attempted to impose such restrictions in England, he believed that an agitation would be created which would overturn any Government. He would ask the right hon. Gentleman the Chief Secretary for Ireland if he could possibly contemplate the idea of applying such a measure as this in his own county of York? But what sort of morality was it that would deal with one side of the Channel only, and leave the other untouched? Would such legislation as this have the moral sanction which ought to attach to all legislation? The great defect of this measure was that it lacked the sympathy and opinion in its favour of the United Kingdom — which he hoped would become more united every day—without which no law could be expected to be successful.

MR. O'CONNOR POWER said, that the argument of the hon. Member for Finsbury (Mr. Torrens) would indicate that he was prepared to accede to a proposition for the removal of all restrictions upon the liquor traffic. His argument was that there should be no legislation affecting the social habits of the people. But the hon. Member knew very well that that proposition, nakedly stated, would never meet with the sanction of the House. The reason for the interference in this case was simply that the evil of intemperance was one of so great a magnitude, and occasioned so much loss to the nation, and so much misery to the people, that it was necessary for restrictive legislation to be passed to remove the evil. He had heard the Government that evening very roundly denounced for its conduct in reference to this Bill. Of that denunciation he should make no complaint; but if it were the intention of the hon. Baronet the Member for Rochester (Sir Julian Goldsmid) to reflect upon the promoters and the supporters of this Bill because they entered into a bargain and compromise with the Government, he had only this observation to make—that he trusted the promoters of the Bill would bear his condemnation in mind in the future, and that they would not make the mistake of entering into any bargain with any Government when they knew that they already had a large majority of the House of Commons on their side. That statement he made unreservedly. As a sincere and earnest supporter of the Bill, he would take that opportunity of expressing his extreme regret that the promoters of the Bill had entered into any compromise; and he must renew the protest he ventured to make some time ago against the notion that because the promoters of this Bill had made a concession with respect to the large towns and in some other matters—that, therefore, they were not entitled to press upon the acceptance of the House the remainder of the Bill. He held that they were perfectly entitled to do so; and he trusted that, although they had been drawn into a very unlucky compromise that Session, in some other Bill or by some other means they would revert to the original principle in a new Session of Parliament, and stick to their burden like men; for he was perfectly sure that whatever might be the feeling of the Irish people upon this question, it would eventually find effect in that House. They had listened that night with the pleasure they always experienced when the hon. Member for Tralee addressed that Assembly. But his speech reminded him of a theory which on more than one occasion had come into his mind when listening to the debates of that House upon the Sunday Closing Bill—namely, that a fallacy was a fallacy, no matter how it might be concealed. He would call attention to some inconsistencies in the argument of the hon. Member for Tralee (the O'Donoghue). In the early part of his speech he said that if it were clearly proved that a majority of the Irish people were in favour of this Bill, he would offer no argument against its acceptance; but that he could not think they were in its favour. He remembered a time when a majority of the Irish Members in that House were in favour of legislation opposed to the wishes and feelings of the Irish people. He was glad that the hon. Gentleman's memory was so tenacious; and no doubt he recalled that period of Anglo-Irish history when the Irish Members of Parliament did not represent the Irish people. The hon. Gentleman must have been thinking at the time of a certain man, not unknown in Irish politics, who said that the House of Commons was no place for an Irish gentleman.

THE O'DONOGHUE said, he must emphatically deny that he ever made such a statement. He challenged the hon. Member to produce proof.

MR. O'CONNOR POWER did not complain of the denial made by the hon. Member. If he did not make such a statement, and the cap did not fit him, it must be placed upon some other head. And if the hon. Member did not think the cap fitted him, he hoped that he would allow the observation to pass, because there was a certain man not unknown in Irish politics and in the House of Commons whom the cap inevitably would fit. On more than one occasion, the hon. Member for Tralee had given what he might call a personal turn to the discussion in that House. He seemed to be particularly anxious to exploit himself at the expense, or rather he should say for the amusement, of the hon. and learned Member for Louth (Mr. Sullivan). In the absence of that hon. and learned Gentleman that evening, he had ventured to accuse him of perpetrating some very gross inconsistencies in the advocacy of that measure. In the first place, he said that the hon. and learned Member represented the Irish people as a moral nation who desired the passing of the Bill; but that, nevertheless, they must be a drunken people, for otherwise the necessity for the measure would not exist. He ventured to think that that contained a fallacy which destroyed the argument of the hon. Member for Tralee, and for this reason — that this Bill would not affect the mass of the Irish people, but would deprive the drunken minority of the people of Ireland only of the opportunity of gratifying their passions. Further, it was perfectly logical to say that the Irish people were sober, and that they desired the Bill because they were a sober people, for it would not interfere with the convenience of the majority. But in Ireland, as in England and Scotland, there were people who indulged recklessly and extravagantly in strong drink, and those who were competent to speak for the Irish people—as competent as the constitution of this House permitted—had declared that this measure would be beneficial to the people of Ireland. The great inconsistency which was noticeable in the otherwise able speech of the hon. Member for Tralee was this—that while in the early part of his speech he deprecated legislation in accordance with the wishes of the majority of the Irish Members, because his experience of the House told him that they were in the wrong, yet he said that they should not legislate then, because an opportunity would soon present itself to appeal to the electors, and thereby arrive at their true opinions. What was the use of deprecating the opinions of the Irish Members in one sentence, and telling the House in another to wait until they could, through some new body of Irish Members, get the opinion of the Irish people? The hon. Gentleman, indeed, said that this was not a vital question at the last Parliamentary Election. He (Mr. O'Connor Power) would venture to say that it would not be a vital question at the next Election, and for this simple reason—not that it was an unsound question, but because it was dwarfed by the great national question of self-government, which dwarfed every question, and which dwarfed even the Land Question and the Education Question. It was for that reason that at the last Election the question of Sunday closing in Ireland did not become one of vital importance. The hon. Member for Tralee had quoted opinions given in opposition to the Bill by Bishop Dorrian. They must all have the greatest respect for Dr. Dorrian; but why his opinion should have been brought forward was not very clear. About 23 Bishops had pronounced in favour of the Bill; but the hon. Member had chosen to select the opinion of Dr. Dorrian, who alone opposed the Bill, and to disregard the sentiments of the 23 Bishops who were in favour of it. Whatever might be the decision of the House with reference to the question brought up by the Amendment, that this Bill be considered in three months time, he trusted it would not be imagined for one moment that the advocates of the Bill had made any attempt, or wished to make any attempt, to forestall public opinion in Ireland. They had hitherto responded to every challenge offered by the opponents of the measure. Last Session, and the Session before, the Parliamentary Recess was occupied by the opponents of the measure in eliciting public opinion, and various public meetings and other means were also resorted to by the promoters of the Bill. From a speech of the hon. Member for Tralee, it might be supposed that no great amount of opinion had been declared in favour of the Bill. But the hon. Gentleman knew very well that meetings had been held in all the great centres of opinion in Ireland, and that unanimous Petitions had been forwarded from all parts of the country in favour of the measure. If the organization of the advocates of the Bill had had anything to do with the support it had received, yet it could not be said that there was anything solid or substantial in the case on the other side. If there were, every public-house in the country would become a centre of agitation, and every fair green in Ireland would overflow with opponents of the measure ready to push their view at every opportunity. But the cause of the publican, as represented on the platform and in the House, might be described as not having a leg to stand upon; it disappeared before the light of public opinion, or was crushed by the weight of argument.

Question put.

The House *divided*:— Ayes 166; Noes 55: Majority 111.—(Div. List, No. 205.)

Main Question, "That the Bill be now taken into Consideration," put, and *agreed to*.

Bill *considered*.

MR. O'SULLIVAN moved the following Clause:—

(Consent of majority of each parish to be ascertained.)

"This Act shall not come into force in any town or parish in Ireland until it is first ascertained, by a vote of the adult population of each parish, that the majority of the people are in favour of the provisions contained in Clause one."

The hon. Member said, that at the first view, the clause he now submitted for the consideration of the House might appear to contain the permissive principle, as embodied in what was known as the Permissive Bill, of which the hon. Baronet the Member for Carlisle (Sir Wilfrid Lawson) had charge; but it differed from that measure in this respect—that it gave the people the power to reject the Bill for closing public-houses on Sunday, while the Permissive Bill declared that the licensing power should be placed in the hands of the people.

To a certain extent, there was a similarity between this clause and that Bill; and, therefore, he hoped to secure the votes of the hon. Member (Sir Wilfrid Lawson) and his supporters, including that of the hon. and learned Member for Louth (Mr. Sullivan), who went with him (Mr. O'Sullivan) into the Lobby the last time he took a division in the Committee on this measure. When this clause was introduced in Committee, he believed it was somewhat hastily put from the Chair; and for that reason he now brought it forward again, with the intention of pressing it to a division. He claimed the support of the Temperance Party, and of those hon. Members especially who voted for the Permissive Bill; because the clause would give the people the right to decide whether the present measure was to come into operation in parishes or not. He moved that the clause be read a second time.

MR. R. POWER seconded the Motion.

New Clause — (*Mr. O'Sullivan,*) — *brought up*, and read the first time.

Motion made, and Question proposed, "That the said Clause be now read a second time."

THE O'CONOR DON abstained, at that late hour, from entering into any discussion of the question raised by this clause, which had already been very fully considered in Committee. As to the permissive principle contained in it, he thought the majority of the House had clearly expressed their opinion before; and, as the promoter of the Bill, he could not consent to have the measure weighted with any provision of this kind.

THE O'DONOGHUE, observing that his hon. Friend the Member for Roscommon (the O'Conor Don) did not appear inclined to have any discussion at all, moved that the debate be now adjourned.

Motion made, and Question proposed, "That the Debate be now adjourned." —(*The O'Donoghue.*)

MR. ASSHETON CROSS expressed a hope that the debate would not be adjourned. He did not think that anything said by the hon. Member for Roscommon (the O'Conor Con) showed any unwillingness on his part to have discussion. If they were going to discuss the Bill, it was certainly too early to adjourn the debate at a quarter to 1 o'clock. As far as the Amendment before the House went, he was bound to say that he was himself strongly opposed to the permissive principle. He had always voted against that principle, and he always should.

MR. M'CARTHY DOWNING, in supporting the Motion for adjournment, said, he had observed the attendance in the House. During the time this Bill had been under discussion, the Treasury Bench, and the front Opposition Bench, were almost entirely vacant. The House had not the advantage of the presence of scarcely one single right hon. Gentleman on either side, and they had been engaged in discussing an important principle for nearly eight hours. Now, they found both Benches pretty full. There were several Amendments of great importance upon the Paper, and it was really too bad that, while during the last eight hours there had been only from 20 to 30 Members in the House, now it should be pretty full of Members who had been dining with their friends and enjoying themselves.

MR. SPEAKER pointed out to the hon. Member (Mr. M'Carthy Downing), that the condition of the House at a previous period of the Sitting was not the Question before the House; and, therefore, the hon. Gentleman was not in Order when he referred to it.

MR. M'CARTHY DOWNING bowed to the decision of the Speaker. He could not help remarking upon the contrast which the House presented between the earlier and the latter part of the Sitting. He hoped he was not out of Order in saying that, because it was a fact which could not be denied. With reference to the Question before the House, he was not prepared to see the discussion continued until a quarter past 9 o'clock in the morning, as had happened on a former occasion. He hoped that the observations made by the hon. and gallant Member for West Sussex (Sir Walter B. Barttelot) would receive the favourable consideration of the House. The hon. and gallant Gentleman had said, in the early part of the debate, that he hoped the House would not ask the Speaker to sit in the Chair until half-past 9 in the morning; and he hoped, therefore, that the House would consent to the adjournment of the debate.

Question put.

The House *divided:* — Ayes 33; Noes 153: Majority 120.—(Div. List, No. 206.)

Question again proposed, "That the said Clause be now read a second time."

MR. WHEELHOUSE said, that so far as the Amendment now before the House was concerned, he must, in a very few words, enter his protest against it, and he did so upon the following ground:—So far as he could judge, if it formed a Permissive Bill in another shape—and he did not care from whatever source it came—anything like the Permissive principle, involving local option, ought to have the determined opposition of all those who voted against the Permissive Bill. So far as the Bill itself was concerned, he disliked it as much as it was possible to dislike anything, always with the single exception of the Amendment, or supposed Amendment, which was now sought to be engrafted upon the measure. Partaking, as it did, of that vicious characteristic which he, rightly or wrongly, attributed to it, he could not vote in favour of the Amendment.

Question put, and *negatived.*

MR. P. J. SMYTH, was about to move the following new Clause:—

(Holder of licence at liberty to claim compensation.)

"It shall be lawful for any person holding a seven day licence for the sale of intoxicating liquor to enter a claim for compensation for the loss of his trade by reason of the operation of this Act, such claim to be entered and tried in the county court of the district in which his premises are situate, and in the event of the claimant establishing his claim for compensation before the judge of said court he shall be entitled to such damages, not exceeding six years' loss of trade, as the judge may award, said damages to be presented for by the grand jury of, and levied off, the county at large,"

when——

MR. SPEAKER said, he wished to point out to the hon. Member for Westmeath that the clause he proposed to bring in involved a question of compensation imposing a charge on the public. A proposition of that kind could not be put from the Chair unless it had been considered by a Committee of the Whole House upon the Bill.

Amendment, by leave, *withdrawn.*

MR. MURPHY moved to amend the Preamble of the Bill by adding the words "save in the places hereinafter mentioned." His object was to alter the Preamble so as to bring it into conformity with the Bill. The Preamble, as it now stood, extended the prohibition for the whole of the day to the whole of Ireland; and, therefore, it was perfectly inconsistent with the Bill itself. It was essential that the Preamble of the Bill should be in comformity with the clauses; and, therefore, it appeared to him absolutely necessary that some such Amendment as he proposed should be accepted, and he trusted the House would not have any difficulty in passing it.

THE O'CONOR DON said, he was ready to accept the Amendment.

Amendment *agreed to.*

MR. MURPHY, then moved, in Clause 1, line 17, to leave out "cities," and insert "county of the city." In the 1st clause of the Bill the Metropolitan Police District of Dublin was exempted from the operation of the Bill. The city of Cork was in precisely the same circumstances as the Metropolitan Police District of Dublin, and he wished to insert these words to place it in an analogous position in the Bill. He did not suppose there was any objection to the Amendment, which was simply placing Cork in a similar position to Dublin, which he thought was a fair and reasonable proposition.

Amendment proposed, in page 1, line 17, to leave out the word "cities," in order to insert the words "county of the city."—(*Mr. Murphy.*)

Question proposed, "That the word 'cities' stand part of the Bill."

THE O'CONOR DON was sorry he could not assent to the Amendment proposed. He might say, in the first place, if he desired, that it was not consistent with the pledge which the hon. Member had made to the House when the Bill was before Committee, to the effect that he would not move any Amendments to Clause 1, except the

Amendment of which Notice was given by the hon. Member for Cork County (Mr. M'Carthy Downing). However, he had no doubt his hon. Friend did not think that the present Amendment was a very serious one, and that it would not therefore come under the pledge. He had been blamed for the exemptions he had already made; but they had been made at the instance of the Government, without whose assistance they could not have succeeded in passing the Bill. But beyond those exceptions, they felt they could not make any further ones.

Mr. MURPHY rose, when——

Mr. SPEAKER said, that if the hon. Member was about to explain the course he was going to take he would be in Order; but otherwise, he would not be at liberty to address the House again.

Mr. MURPHY said, he merely wished to remark that the Amendment he had proposed was not outside the spirit of the undertaking he had made. He considered it merely a verbal Amendment to carry out the intention of the Act, and in that sense, he had never dreamt of the possibility of its being refused.

Question put.

The House *divided:* — Ayes 139; Noes 36: Majority 103.—(Div. List, No. 207.)

Clause 1 (Extension of Acts prohibiting sale of intoxicating liquors to the whole of Sunday).

Mr. M'CARTHY DOWNING moved, as an Amendment, to insert after "Sunday," the following words: —

> "And, except in all towns and villages, with a population of four hundred, according to the last Government Census of population, and within the said towns and villages, the said hours or times are hereby extended, and shall be as follows (that is to say): up to the hour of two o'clock in the afternoon, and after the hour of five o'clock in the evening."

The hon. Member said, that those who opposed the Bill must admit that they were brought to that point when they must appeal to the good sense and good feeling of those who had been in the great majorities by which the efforts of the opponents of the Bill had been defeated. He wished that hon. Gentlemen who were now in their places had been present in the evening, to have heard exactly the progress of the Bill. He was not going, at that hour, to occupy the time of the House by going into that question, which he had discussed very fully at an earlier hour of the evening; but he was obliged to say this—that the Government had insisted in remitting the operation of this Bill in five cities in Ireland, where, if the Bill had been required at all, it would have been required most. He had moved, upon a former occasion, that in all parts of Ireland there should be a period of three hours on a Sunday for the purpose of getting refreshment—that was to say, from 2 o'clock in the afternoon till 5 o'clock in the evening. There was a very large division upon that question, and he was not at all surprised that upon that occasion his Amendment was not accepted. But now that they had come almost to the last Amendment, he trusted that the Government, and those who had the conduct of the Bill, might listen, at that last moment, to something like reason, and that they might be influenced by prudence. If the five towns that had been exempted had been five towns where there was a great excess of drunkenness—and he did not say that there was any great excess there over other large towns in Ireland—it would have been in those very towns that the Bill would have been required. The Government had put it to the Select Committee on the Bill, whether those five large towns should be exempted or not? The Committee, by a majority of 2, and upon the evidence given by those best acquainted with these towns, had decided that they ought not to be rejected. Gentlemen holding the position of Captain Talbot, one of the Commissioners of Police in Dublin, gave the very strongest evidence against the exemption of Dublin from the Act. But who was responsible for the exemption of these five towns? The Government, in the first place, by a peculiar kind of contract, which, he thought, did them no credit whatever. They entered into one of those secret contracts which appeared to be their favourite mode of sustaining their position, both abroad and at home; and with whom? With the promoters of the Bill, and in that they were assisted by the front Opposition Bench, who, by some hallucination he could not account for, lent themselves to support the Bill, under the impression that they were carrying out the wishes of the people of Ireland. He wished they could have heard the observations of his hon. Friend the Member for the city of Cork (Mr. Murphy). He would have convinced them that this was not the Bill the people of Ireland wished for; but which, by a large number of Petitions, they had appealed against. What he said was that they were exempting the five towns where—if the Bill were necessary at all—it ought especially to be applied. Why should they carry out this scheme in other places, and say that in towns with a population of 5,000 and 10,000 there should not be a single drop of drink to be obtained by any of the inhabitants; while in those large cities, where drunkenness and crime already existed, the people should have as much drink as they liked? He would like very much to have that question answered. The right hon. Gentleman who filled the post of Chief Secretary to the Lord Lieutenant—well, they all knew what his opinions were. He had stated them before, and he had said that this was a Bill which he disliked, and that it was a Bill which he wished had not been passed by the House. Then, how was it that it had arrived at its present stage? By a combination of the Government and the front Opposition Bench, effected by what means he did not know, but united in a false supposition that the people of Ireland required and demanded the Bill. Well, that being the case, they had exempted those five large towns; and now let him appeal to the good sense, let him appeal to the feelings, of hon. Gentlemen, and ask them, as those five towns were exempted, whether there was any reason—and, if so, let them hear it—if Dublin, and Cork, and Belfast, and Limerick, and Waterford were to be exempted, why was Galway, why was Londonderry, why was Queenstown, and why were other great towns in Ireland to have their public-houses shut up? For what purpose was it? Why, in the first place, it was to withdraw the rural population from their enjoyments in the country, and to bring them into the towns to drink. That would be the first consequence. ["No, no!"] Some hon. Gentlemen said "No, no!" but he would ask them this. He would take any town they liked. He would take Fermoy, a garrison town with a large population. All the public-houses in the town were to be closed, and what would be the consequence? There was a garrison town, and what did they do by their Bill? They allowed the canteen to remain open for soldiers to get drunk in, and then to come out drunk among the sober population to quarrel with the civilians. Let them take Queenstown, with a population of 11,000, where all the mail-packets berween Liverpool and America stopped. Strangers were coming in there every day, and remaining in the place all night. Ships were lying there that had come off long voyages; but the public-houses were closed on Sundays to the passengers because they were not travellers. Another case was that of Bray, which was becoming a large, as it was also a fashionable, place; but none of the inhabitants of the town would be allowed to get drink on Sundays in the hotels or public-houses. The same rule would apply to many other important towns in Ireland, to which he need not refer by name; and he, therefore, proposed that each place with a population numbering over 400 should have three hours to provide refreshment. Let his hon. Friend who had charge of the Bill consider what the effect of the Amendment would be in his own county; remembering, at the same time, that by accepting the Amendment of the Government he had already destroyed the original principle and intention of the Bill, which was to put a stop to Sunday drinking in public-houses throughout Ireland. The triumph of the Temperance Party would be destroyed by excepting from the operation of the Bill the five cities and towns in which, as was well known, the greatest excess of drunkenness and vice existed. In the county of Roscommon, which was represented by the hon. Member (the O'Conor Don) there were only four towns with a population exceeding 500 inhabitants in a total population of 150,000; and surely those four towns were not too much to supply the reasonable demands of 150,000 people? If his Amendment were not adopted, he should like to ask the Chancellor of the Exchequer whether the Government—which had given facilities in reference to this Bill which no Government ought to have given—would be ready to make terms with any and every private Member of the House to give Government nights for the prosecution of Private Bills on condition that the Members in charge of them made such concessions as suited the taste and convenience of the Government? He feared that one effect of the exceptions which had been made would be to induce the people resident in the villages near to the excepted towns, instead of taking moderate refreshment and enjoying their Sundays in rural fashion by roaming about in the meadows and country lanes, to go into the towns and perhaps indulge in immoderate drinking. If Queenstown, for instance, were not included in the list of excepted towns, any inhabitant of the place could, at a cost of 4*d.*, go into Cork and get as much beer or whisky on a Sunday as he could contain; while the respectable inhabitants of the town would be unable to get anything in the vicinity of their own homes. It was stated, at an earlier stage of this Bill, that when it was introduced, or shortly afterwards, a large meeting was held in the Phœnix Park, at which a resolution was passed protesting emphatically against the exception of Dublin from the operations of the measure. Yet, at the instance of the Government, the city had been excepted, and the same privilege was refused to many other towns of importance the inhabitants of which really desired that it should be given. It was the lateness of the hours up to which drink could be obtained in Ireland that had done the mischief of which so many complained; and he could see no sufficient reason for withdrawing the liberty altogether. The country would submit to some restriction; but they would never be content with a sweeping measure like the present, with the addition of invidious distinctions and exceptions. He had no desire to enter upon a consideration of the general question of compensating the holders of seven-day licences in the event of this Bill passing; but he must say that if the right to such compensation was made out the money ought to come out of the Consolidated Fund, and not out of the rates, for the reason that the Government which had given to these licensed holders a vested interest was consenting to their deprivation of it. Many hon. Members for English and Scotch constituencies supported the Bill at the outset, for the reason that it proposed to shut public-houses on Sundays; but as that principle had been abandoned, he saw no reason why those Members should not support the Amendment which he had proposed, it being remembered that the Bill was only of a temporary character, and that it could either be re-enacted at the end of four years in any form which might be thought best, or allowed to lapse. He therefore begged to move, in Clause 1, line 1, after the word "Sunday," to insert the words—

"And, except in all towns and villages with a population of four hundred, according to the last Government Census of population, and within the said towns and villages, the said hours or times are hereby extended, and shall be as follows (that is to say): up to the hour of two o'clock in the afternoon, and after the hour of five o'clock in the evening."

In conclusion, the hon. Member said the Government would, by agreeing to this Amendment, gain something in the popular feeling of Ireland. ["No, no!"] Hon. Gentlemen might say "No, no;" but he claimed to know as much as anyone in the House of the feelings of the Irish people.

Amendment proposed,

In page 1, line 22, after the word "Sunday," to insert the words "and, except in all towns and villages, with a population of four hundred, according to the last Government Census of population, and within the said towns and villages, the said hours or times are hereby extended, and shall be as follows (that is to say): up to the hour of two o'clock in the afternoon, and after the hour of five o'clock in the evening."—(*Mr. Downing.*)

Question proposed, "That those words be there inserted."

Motion made, and Question proposed, "That the Debate be now adjourned."—(*Mr. Stacpoole.*)

THE O'CONOR DON, in opposing the Amendment, said, it must be obvious that if the exception of five large towns, which had been adopted at the instance of the Government, was extended to all towns with populations of over 400, there would be no such thing as total closing of public-houses on Sundays, except in places where it would not be possible to enforce the provisions of the Act. It had been said that the promoters of the Bill had made no concessions; but he would remind those who said this that they had conceded the point as to the duration of the Act, but to accede to the Amendment now proposed would be to give up the Bill.

MR. ASSHETON CROSS thought this was a reasonable hour at which to go on with the discussion of the Bill.

MR. O'SULLIVAN supported the Motion for adjournment, on the ground that the Committee had already discussed the Bill for nine hours, and it was not fair to ask them to proceed further with so exhausting a process.

MR. J. LOWTHER said, there was probably no Member of the House who disliked this Bill more than he did; but, as a majority of the House had decided upon proceeding with it, he saw no reason why progress should not be made as rapidly as possible.

MR. MURPHY hoped the Motion for adjournment would not be persevered with. There was no Member of the House who had given a more active and uniform opposition to the measure than he had; but he did not think it would be wise to make Motions which could only result in hon. Members having to walk through the Division Lobbies without doing any good.

MR. M'CARTHY DOWNING also thought the hon. Member for Ennis (Mr. Stacpoole) would do well in withdrawing his Motion; but hoped the Government would break the persistent silence which they had maintained, and that the Chief Secretary for Ireland would say something in reference to the Amendment which had been proposed.

MR. STACPOOLE said, that after what had been urged, he would withdraw his Motion. At the same time, he thought the exception should not be confined to the five cities and towns which were included in the Government Amendment, and suggested that it should, at least, extend to all the Parliamentary boroughs in the country.

Motion, by leave, *withdrawn.*

Question again proposed, "That those words be there inserted."

MR. MURPHY said, it was becoming more and more apparent that the Bill was a kind of self-contradictory hybrid measure, which the House ought not to be called upon to pass, unless it wished to make itself ridiculous. There was neither justice nor equity in it; and if he wished the passing of a Bill in order to create public disapprobation merely, he should support the present Bill in its present form. What he wished was that every Bill should pass concurrently with public opinion; and if this measure did not come within that category, it was not only useless, but it was a legislative crime to pass it. No one could allege that the masses of the Irish people had asked for this Bill, or that it was in any way necessary. The police statistics showed that of 93,295 persons arrested for drunkenness in Ireland in 1870-1-2, 33,666 were arrested in the towns now proposed to be excepted, leaving 59,629 for the whole remaining part of the country. If the Bill was rendered necessary, it was necessary as a remedial or preventive measure for something which had an existence; and he would ask whether the arrest of 59,629 persons for drunkenness, in addition to those arrested in the towns proposed to be excepted from the operation of the Bill, was a sufficient justification for a measure of the kind? If his hon. Friend did not succeed in passing the Amendment before the Committee, he hoped he would have so substantial a minority as to show the opinion of the House upon the subject.

SIR PATRICK O'BRIEN said, he had not voted, and did not intend to vote, in favour of any dilatory Motions in reference to this Bill. All he wished now to say was that the effect of passing it might be such as to affect the votes given at the next Parliamentary Elections in the country, the Government having made a bid for the votes in five of the largest towns by procuring their exception from the Act. It would not affect the counties much at present, because, as far as they were concerned, the franchise was limited; but it would have the effect of bringing about a suggestion, at any rate, of an extension of the county franchise. He believed it had been shown, over and over again, that in the country districts Sunday was the most temperate day in the week; and he could only account for the Bill on the supposition that it emanated from the Sabbatarian feeling in the North of Ireland, which those who held them had no right to thrust down the throats of those in other parts of the country who differed from them. He hoped no harm would result from this enactment; but he thought it could not fail to have the effect of inducing the humbler classes to believe that the spirit of class legislation was still predominant in the British

Parliament. As far as he knew, no statement or argument had been adduced to show that the people of Ireland who would be affected by the Act generally desired its passing.

MR. O'SULLIVAN rose to address the House——but

MR. SPEAKER ruled that the hon. Member was not entitled to speak again in this debate, as he had seconded the Motion for the adjournment of the debate.

Question put.

The House *divided*:—Ayes 40, Noes 112: Majority 72.—(Div. List, No. 208.)

MR. O'SULLIVAN said, he was sure the Government or the House generally would not think it was too early to adjourn. Therefore, he would move the adjournment of the House.

MR. SPEAKER pointed out that he had called on the hon. and gallant Member for Leitrim (Major O'Beirne), who had the next Amendment on the Paper. The hon. Gentleman (Mr. O'Sullivan) would be in Order in moving the adjournment of the House after that Amendment had been moved.

MAJOR O'BEIRNE moved the addition of the following Proviso to follow Clause 1 :—

> "Provided always, That from and after the passing of this Act, no wine, beer, spirit, or other intoxicating liquor shall be supplied for payment to any person at any clubhouse or other unlicensed establishment, unless to a person being a *bonâ fide* resident or lodger therein, under pretence that such person is a member of any club or society, or upon any pretence whatever, and every person so supplying or directly or indirectly so supplying such intoxicating liquor, shall be subject in all respects and to all intents and purposes to the same penalties as are imposed by any statute upon persons licensed to sell beer, wine, or spirits by retail, keeping his house open or selling on Sundays within the hours prohibited by Law."

The hon. and gallant Member said, with reference to the upper classes of society, drinking appeared to be very much on the increase amongst them. Only a week ago, a measure had been introduced, and passed by the House, dealing with habitual drunkards; but it would apply to the upper classes only, because it was clear that the lower orders could not afford to pay for being kept in the retreats to be provided under that Bill. Therefore, he moved this Amendment.

Sir Patrick O'Brien

THE O'CONOR DON, before the clause was put to the House, asked a question on a point of Order, whether a clause of this character could be submitted to the consideration of the House? It struck him that what took place in a club, with regard to supplying drink, was not a sale of liquors in any sense; and had nothing to do with the sale of intoxicating drink in licensed houses. He, therefore, inquired whether the clause could properly be put?

MR. SPEAKER said, the clause did not appear to him to be out of Order; and, therefore, he would not feel justified in interposing between the hon. and gallant Member (Major O'Beirne) and the House.

MR. P. J. SMYTH seconded the Amendment.

Amendment proposed,

> At the end of Clause 1, to add the words "Provided always, That from and after the passing of this Act, no wine, beer, spirit, or other intoxicating liquor shall be supplied for payment to any person at any clubhouse or other unlicensed establishment, unless to a person being a *bonâ fide* resident or lodger therein, under pretence that such person is a member of any club or society, or upon any pretence whatever, and every person so supplying, or directly or indirectly so supplying such intoxicating liquor shall be subject in all respects and to all intents and purposes to the same penalties as are imposed by any statute upon persons licensed to sell beer, wine, or spirits by retail, keeping his house open, or selling on Sundays within the hours prohibited by Law."—(*Major O'Beirne.*)

Question proposed, "That those words be there added."

MR. O'SULLIVAN hoped the Government would now allow the debate to be adjourned. He did not think that was an unreasonable suggestion, seeing that the House had been discussing the Bill for nine hours and a-quarter. He had no objection to resume the debate on any day that the Government might fix. They had already given up three days for the discussion of this measure, and had besides stopped Supply on other nights. He felt sure they would give another day for the finishing of the Amendments, and another for the third reading. Considering that it was not their own Bill, the Government had afforded extraordinary facilities for its discussion; and he challenged any hon. Gentleman with greater experience in the House than he had, to cite an instance in which a private Member had received such facilities for the consideration of a measure. The Amendments on the Paper would, no doubt, take the greater part of a day to discuss, and he thought it was unreasonable, at that advanced hour, to continue the debate. The Members from Ireland were reminded that on that day, the 12th of July, the Army was turned out of Ireland; and now the House was going to add to the soreness of the 12th of July by trying on the same day to pass this unfortunate Bill, which would give rise to another subject of dissension in that country. As for the advocates of this measure, he expected no concession from them; but he appealed to the Government in the hope that they, at least, would accede to the reasonable proposition he now made. He also asked the support of the House. He moved that the debate be now adjourned.

MR. STACPOOLE, in seconding the Motion, said, the debate had gone on for a very long time, and some consideration ought to be shown for the Speaker, and also for Members of the House. They had been there since 5 o'clock, and the discussion would last till eternity, if it went on much longer.

Motion made, and Question proposed, "That the Debate be now adjourned."—(*Mr. O'Sullivan.*)

MR. ASSHETON CROSS believed that he was expressing the sense of the House in stating the opinion that the debate ought to go on. He was bound to say that the Amendment had been most fairly argued in Committee, and he had no doubt that, in a short time, the House would be be able to dispose of the remaining Amendments. He thought it was the general wish that the hon. Member (Mr. O'Sullivan) should withdraw his Motion.

MR. P. J. SMYTH rose to enter a protest on behalf of those who opposed the Bill. They felt acutely that the Government had afforded unusual facilities to the promoters for the passing of the measure. The opponents held that to be unfair to them, as the minority of the House. The minority believed—indeed, they knew—that they represented the feelings of the masses of their countrymen on this question. For his own part, he felt that a grievance had been done by the manner in which the Chancellor of the Exchequer had engaged to give the promoters facilities for the consideration of the Bill, and by the way in which that engagement had been carried out. There was a personal matter of his own on which he wished to say a word. An Amendment stood on the Paper in his name. It related to the question of compensation. The Chief Secretary for Ireland had uttered sentiments, with which he entirely sympathized, in regard to vested interests. The Under Secretary of State for the Home Department, in the debate upon the Permissive Bill, had declared that that measure was one which could not be even considered, until the question of compensation had been decided. To both those Gentlemen he now appealed. He found that he had committed a technical error, for which he was free to take to himself the blame; and, in consequence of that error, the Amendment standing in his name could not be put. Was he unreasonable in now asking that some opportunity might be afforded to him of taking the sense of the House upon the question of compensation, which his Amendment would have raised? Was ruin to be brought upon 10,000 families in Ireland by the operation of this Bill? That would be the effect of passing this measure, without provision being made in it for compensation. An account had been taken—— ["Order, order!"]

MR. SPEAKER pointed out to the hon. Member that the Question before the House was the Amendment moved by the hon. and gallant Member for Leitrim (Major O'Beirne), upon which the adjournment of the debate had been proposed. He, therefore, thought the remarks of the hon. Gentleman were irregular.

MR. P. J. SMYTH disclaimed any intention of entering into the merits of the matter. He had merely referred to it, as assigning a reason for supporting the Motion of the hon. Member for Limerick (Mr. O'Sullivan), which he did most warmly.

Question put.

The House *divided*:—Ayes 20; Noes 120: Majority 100.—(Div. List No. 209.)

Question, "That those words be there added," put, and *negatived.*

Clause 2 (Penalties for selling of intoxicating liquors during prohibited hours extended to whole of Sunday).

MR. MURPHY moved an Amendment to leave out certain words. The object of the Amendment was this. At present the Bill enacted that a penalty should be inflicted upon anyone who was found in or upon licensed premises during the prohibited hours. He had mentioned the operation of that clause in a discussion upon the Bill at a previous stage, and the hon. Member for Roscommon (the O'Conor Don) had admitted that his objection was a reasonable one, and had intimated his willingness to consider the matter with a view of removing what he thought was a very great grievance indeed. If the words he proposed to omit were retained in the clause, the effect would be simply this. If any person were found upon the premises, no matter what his business was—whether he were the son, or cousin, or any relative of the publican—he was liable to arrest and fine in consequence of the penalties enacted against selling, or exposing for sale, any intoxicating liquors on Sunday. He scarcely thought that the promoters of the Bill intended that any person who was found upon the premises, say as a visitor, should be liable in the same way as a person who was there for the purpose of obtaining liquor. It was with the view of doing away with the possibility of having any party capriciously arrested that he moved the Amendment.

Amendment proposed, in page 1, line 25, to leave out the words "or being present in or upon any such premises."—(*Mr. Murphy.*)

Question proposed, "That those words stand part of the Bill."

THE O'CONOR DON said, that this was a point which in Committee he promised his hon. Friend to consider before they reached the stage they were then at, and he thought he could satisfy his hon. Friend that he was mistaken in supposing that there was anything new in the clause. The present law, passed by the present Government in regard to persons being present in a public-house on Sunday during prohibited hours, enacted that if, during any period during which any premises were required under the Act to be closed, a person were found upon such premises, he should, unless he satisfied the Court that he was an inmate, a servant, a lodger, or a *bonâ fide* traveller, or that his presence was not in contravention of the principle of the Act, be liable to a penalty. Now, the operation of the clause under consideration was to extend to the whole of Sunday what the Act of 1874 did with regard to prohibited hours? At the present time any person found upon licensed premises during prohibited hours was liable to a penalty, unless he could show the Court a satisfactory reason for being there. The whole purport of this clause was to extend that to the hours between 2 and 5 which, under his Bill, would be also prohibited. There was nothing new in it, and there was every provision in the Bill that no person should be damnified for being present in a licensed house during prohibited hours, unless he was there for an illegal purpose. He did not think there would be any of the evils which his hon. Friend anticipated, and he hoped he had satisfied him that there was no necessity for alteration.

THE ATTORNEY GENERAL FOR IRELAND (Mr. GIBSON) also stated that there was no new principle involved in the clause.

MR. O'SULLIVAN said, it was true that there was no new principle introduced, but the House must recollect that Sunday was the only day on which the country people came in to visit the towns. Of course, magistrates might not inflict a fine, because if good reason were given by a person for being in a house they would not do so; but, still, they gave the police the power of arresting persons and carrying them before the magistrates. The Amendment proposed would not alter or injure the Bill in the least.

SIR JOSEPH M'KENNA expressed his regret that the hon. Member for Roscommon could not agree with the conditions sought by the hon. Member for Cork (Mr. Murphy). No doubt, there were certain exemptions with respect to Sunday, but there were also liabilities to arrest, which were now proposed to be extended to those three hours which were now free—that was to say, at the time that the previous law passed there were certain hours during which there was no question whatever that the publican was entitled to invite his friends, and have them in his house. Admitting all that the right hon. and learned Attorney General for Ireland said, and all that was contended for by the hon. Member for Roscommon, he certainly could not understand how he would be in the least degree damnified, or the principle of the Bill in the least degree imperilled, by accepting the Amendment. He himself had given an undertaking not to offer any opposition to the Bill if the promise given upon the last discussion were kept, and he had kept his word. But if the words of the hon. Member for Cork were not accepted, he should certainly be obliged to move the adjournment of the debate. He was very sorry to have to do so; but he did not see how anyone could possibly be injured by the bringing in of those words. There were numbers of respectable people keeping public-houses in Ireland who would be extremely troubled and exercised in their minds by the passing of that Bill; and he thought that everything that could be done ought to be done to make the working of it as little offensive and with as little novel stringency as possible. In conclusion, he would move the adjournment of the debate.

Motion made, and Question proposed, "That the Debate be now adjourned."—(*Sir Joseph M'Kenna.*)

MR. ASSHETON CROSS hoped the hon. Member would withdraw his Motion. He could not but think that another half-hour would settle the whole thing; and it was a pity that a wrangle should be commenced now that they had reached that stage.

MR. LAW said, it would be perfectly impossible, if they wished to make sense of the Bill at all, to accept the Amendment. As the law at present stood, during the prohibited hours certain penalties were imposed upon people found in the public-house, unless they gave good reasons for their being there. The object of the clause as framed was simply to extend that provision to all the hours to which the now extended prohibition would apply. The measure would be absurd, if not actually unworkable, if the penalties were different at different hours of the day.

MR. MURPHY said, he had a slight doubt upon the matter. If he had not, he should have accepted what was said by the Attorney General for Ireland and withdrawn the Amendment; but he thought that the right hon. and learned Gentleman, in looking at the existing Act, would find that Clause 27 merely said that any person who was found upon the premises should, unless he satisfied the Court that he was an inmate, a servant, or a lodger, or a *bonâ fide* traveller, or that otherwise his presence was not a contravention of the Act, be liable to a penalty. But where was it shown that if a visitor went to the house he was to be exempted from the consequence of his being found there? The object of his asking for those words to be omitted was that the clause, as it stood, imposed a penalty upon any person found on the premises. It was not upon any person receiving drink. But he could suppose cases that were quite easy of detection, and where the person concerned got no drink at all. That person would be liable to be summoned, or even arrested, for being there at all. Though he was not an inmate, a servant, or a lodger, he did not get any drink; and therefore the clause ran on all fours with the law as it stood. What he objected to was, that a person simply calling at a house and getting no drink was to be liable to be summoned.

MR. SULLIVAN said, that the hon. Member for Cork had forgotten to point out that, under that clause, a visitor must be at a house in contravention of the provisions of the Act, and that was exactly the point which would protect him. No doubt, anyone was liable to be summoned; but upon his proving to the magistrates that he was a visitor, the case would be instantly dismissed. He, nevertheless, sympathized with the object the hon. Member had in view in moving the Amendment.

MR. MACARTNEY thought the hon. Member for Cork could not imagine that any magistrate would inflict a penalty for being in a house without having been supplied with liquor.

Motion, by leave, *withdrawn.*

Amendment, by leave, *withdrawn.*

MR. MURPHY said, he had another Amendment to propose, and that was the last he had. He thought that, under the circumstances, the time for the Bill coming into operation—namely, only two or three months after it was passed, was too short a period. He proposed, therefore, that the Bill should come into operation on the 10th of April following, instead of the 1st of October. He would, therefore, move, in Clause 4, to leave out "the first of October," and insert "tenth of April." He pointed out that this alteration he proposed would make no difference to the Revenue. It was only proposed with a view of giving people time to make arrangements for the change that would be thrust upon them. To give these people six months' more time would only be an act of equity and justice, as there was no doubt that, by the operation of that Act, a large number of traders in small towns would be very much injured by the Bill, and the least that could be done for them was to give them six months' grace.

THE O'DONOGHUE seconded the Amendment.

Amendment proposed, in page 2, line 7, to leave out the words "first of October," in order to insert the words "tenth of April."—(*Mr. Murphy.*)

Question proposed, "That the words 'first of October' stand part of the Bill."

THE O'CONOR DON said, he was sorry he could not consent to the change proposed. The matter had been discussed very thoroughly in Committee on the Bill, and the argument in favour of the present date of the Bill must, he thought, appear obvious to everybody; and he believed his hon. Friend, when sitting on the Committee, did not object to the day which was fixed. The licences were taken out in October, which was the day upon which all the new licences must commence; and the reasons for that day being fixed were obvious, and he did not consider it necessary to go over the arguments again.

SIR JOSEPH M'KENNA hoped the hon. Member for Cork would not press the Amendment, though he quite sympathized with the object the hon. Member had in view. He thought, however, that, if the Bill was to become law, the sooner it did so the better, and they might as well have the experience that would be afforded between the 1st of October and the 10th of April, in order to observe the effect upon the country. If the effect upon the country was good, they would all be satisfied; and he thought, therefore, it would be better not to press the Amendment.

MR. O'SULLIVAN would have much pleasure in supporting the Amendment, as he thought it not at all unreasonable to ask that those people, who would have to give up their businesses and turn their shops into some other trade, should have a little time. Six months was not an unreasonable length of time for them to dispose of their businesses in. His hon. Friend the Member for Roscommon was, however, quite wrong in saying that the 1st of October was the day on which the licences expired, for the licences were renewed on the 10th of October. He could not possibly see what objection there was to allow that amount of grace for the commencement of the operation of the Bill, for it would give people in the country the opportunity of becoming acquainted with the fact that such a Bill had passed, and would give them the opportunity of disposing of their businesses. The date at present fixed would cause great inconvenience, for there were some parts of Ireland where they knew little or nothing of the Bill; and, moreover, did not believe it was in existence. The hon. Member for Roscommon would be doing an injustice to the trade, and would be causing great inconvenience to the public, if he did not accept the Amendment.

Question put, and *agreed to.*

Bill to be read the third time *To-morrow.*

POLICE EXPENSES ACT CONTINUANCE BILL.

On Motion of Sir HENRY SELWIN-IBBETSON, Bill to continue for one year "The Police Expenses Act, 1875," *ordered* to be brought in by Sir HENRY SELWIN-IBBETSON and Mr. CHANCELLOR of the EXCHEQUER.

Bill *presented,* and read the first time. [Bill 256.]

House adjourned at a quarter
after Three o'clock.

HOUSE OF LORDS,

Friday, 12*th July*, 1878.

MINUTES.]—Public Bills—*First Reading*—Supreme Court of Judicature (Officers)* (158).

Committee—Innkeepers* (136-160).

Committee — Report — Foreign Jurisdiction* (147).

VIVISECTION — THE ROYAL COMMISSION.—PETITIONS.

Lord TRURO, having presented a number of Petitions for the suppression of the practice of vivisection, said, they did not emanate from explorers in the boundless fields of science and nature, nor were they the expression of an opinion upon the part of a small section—able and extremely eminent, no doubt—of the Medical Profession in these countries, or of a body of physiologists, in favour of vivisection. These Petitions—and a great many more in the same strain had reached him—had been sent forward by thousands upon thousands of Englishmen and Englishwomen who did not think it advisable that the practice of vivisection should continue to receive the sanction of the Legislature. Upon a recent occasion, when he felt it his duty to trouble their Lordships with some references to this subject, he made some remarks upon the constitution of the Commission appointed to examine into this question, and report upon the most expedient mode of dealing with it. The noble Viscount whom he saw below him (Viscount Cardwell) was absent upon that occasion, and he should now repeat substantially some of the remarks which he then made. The Royal Commission, upon whose Report the present law upon this subject was founded, was not constituted as it should have been, and this was owing to the fact that two or three gentlemen were put upon it who were strong partizans of vivisection. The other Members of that body, including the noble Viscount, were induced, from the natural tendency of their minds and habits, to view every question from a merely logical, rather than from an expedient point of view. He certainly did not think the Members of the Commission less humane than other men; but he thought that Gentlemen under the influences which swayed them would be somewhat prejudiced in their judgments upon this matter. Humanitarians viewed this as a question of expediency, and he thought their Lordships would agree with them in that view. Now, it could scarcely be denied, by anyone who had attended to the proceedings of the Commissioners, that upon all occasions they manifested a desire to prop up the evidence which tended to support the views which dominated their minds. The question was not merely as to the mode in which vivisection should be regulated, but it went farther, and raised the inquiry whether it should be regulated at all or not? He did not propose to trouble their Lordships with any of the extremely painful details which were contained in the Report; but he might say that it disclosed three divisions of opinion. A certain number of witnesses said that they objected both to licences and supervision—in fact, to every form of inspection—both as regarded themselves personally, and those whose opinions they represented. A second section accepted supervision, adding that they would rather be without it. Another section represented a third shade of opinion, and said—"We are convinced, from our experience, that it is not only desirable but essential that these experiments should take place under supervision." So far as he recollected, these divisions indicated the character of the evidence. Many of the gentlemen who were examined were undoubtedly men of extended experience, whose judgments were entitled to great weight. In considering the weight to be attached to the conclusion at which the Commission arrived, they were bound to take into account, not only the bearing of the evidence, but the well-known opinions of its Members. Now, what was the conclusion, and what were the grounds for the conclusion, arrived at? In the first place, they decided that it would be impossible to stop vivisection, and that it would not be desirable to attempt to prohibit it—that it would be unreasonable to do so. There might be differences of opinion as to what was reasonable and what was unreasonable; but when they found, in the evidence, that one of the ablest and most experienced witnesses stated distinctly that there were not, so far as he knew, more than 22 important experiments—though there were a number of rather a minor character—among those which science recorded, which were performed through the agency of vivisection, there was surely reason why the Legislature should be asked to re-consider the decision at which it had arrived. It was a fact of great moment that, after all these years of cruelty and torture to the animal kingdom, not more than 22 important discoveries had been made; and in view of it he must differ from the Commission, and say that it was not reasonable that a practice fraught with so many evils should continue for the sake of an advantage so small. He might address himself to their Lordships' own experience, and ask them, during their own lifetime, when vivisection had been practised to no inconsiderable extent, how many new principles had been laid down—how many methods of cure, how many useful sedatives had been discovered for disorders of the nerves and the various pains? Rising from toothache, neuralgic and rheumatic affections, to the more fatal maladies, he might ask their Lordships what great discovery in either medicine or surgery had been made in their lifetime? He was at a loss to know what the answer to that question would be. He was, therefore, also at a loss to understand upon what ground it could be considered unreasonable to do away with a practice such as vivisection, which resulted in such trifling advantage, and which was inevitably demoralizing to those who exercised it. It was said that if its abolition were agreed to, then the youth of this country, who desired to study medicine or surgery, would be driven to the hospitals of the Continent. It was not only with a feeling of disapproval, but with disgust, that one read the accounts in foreign journals of the practice of vivisection as carried on in some of the French and other Universities; and should they consider it an evil of great magnitude to drive from this country young men who considered that a proper mode of making discoveries in science? Was it not a fact that all the great discoveries in science that had been made for years past were due to patient study and laborious investigation, of a character very different from that pursued by means of vivisection? When he heard it stated that vivisection should not be disallowed or controlled, he took leave to differ very widely from the opinion of the Royal Commissioners.

A noble LORD: But the practice is very much controlled.

LORD TRURO said, he agreed with the Commission as to the grounds upon which the practice should be restricted.

THE EARL OF KIMBERLEY, without going the length of saying the noble Lord was out of Order in making this statement, ventured to remind him that it would be the more usual practice for him to give Notice of his intention to bring this question again before the House.

LORD TRURO said, he was never deficient in the respect due to their Lordships' House; and after the expression of opinion which had just fallen from the noble Earl he should not persist in developing his views. However, he had taken pains to make inquiries as to whether he should be permitted to make observations on the subject of the Petitions when presenting them, and the reply was he should not be out of Order in doing so.

VISCOUNT CARDWELL was sure the House would not desire him to reply in detail to the statement they had just heard. Whether the subject should be discussed with or without Notice, he thought their Lordships would agree with him that the proper opportunity to discuss it was when the Bill was before them—the Bill founded on the Report of the Commission which the noble Lord questioned. That Bill had been passed by their Lordships with great approval. It had also received the assent of the House of Commons. All he could say was that he thought the measure eminently conducive to humanity, and one of the greatest benefits which their Lordships had been able to confer upon the cause of humanity. He had only another word to add, and that was, that he was much surprised to hear his noble Friend say that the Members of the Commission were prejudiced against humane considerations. Nothing was ever more untrue. He was sure his Colleagues, like himself, would be able to testify to that. His noble Friend had referred to one or two individuals who were eminently scientific, and stated that they were put upon the Commission because they were partizans of vivisection.

LORD TRURO: I did not say they were put on for that reason; I said they were partizans.

VISCOUNT CARDWELL was sure the noble Lord would never have made that observation if he had watched the conduct of the Commission, or observed the spirit manifested by them. All he could say was that the Members of the Commission were not responsible for the appointment; but having served on it, and having witnessed the bearing of all concerned with it, and especially those scientific Members of it to whom the noble Lord had thus referred, he was bound to declare that he never knew a set of men more humane, more impressed with the desire to promote the best interests of humanity, and none who could have taken greater pains to carry out such a purpose could have been selected. He regretted that the remarks now made had not been made when the Bill was passing into law, when the Report of the Commission and the reasons for it were before the House.

ARMY—ARTILLERY—MUZZLE-LOADING AND BREECH-LOADING RIFLED GUNS.

MOTION FOR RETURNS.

LORD WAVENEY, who had given Notice to move for Returns having reference to muzzle-loading and breech-loading guns, said, he desired to state the reasons which induced him to move for these Returns. In the first place, it was understood by some persons that a series of experiments made by the Government were directed to the purpose of carrying out a very considerable change in our system of heavy ordnance. Now, this was a very serious matter. Some 16 years ago the system of rifling and breech-loading was first introduced into the ordnance system of these countries. Many experiments were made, and the advantages of the system were urged with great cleverness and ingenuity. The matter attracted the attention of scientific men on both sides, and the result was the adoption of the muzzle-loading and rifle system for our ordnance. They had probably no reason to suppose that muzzle-loading was the best kind of ordnance that could be formed; but they were aware of many reasons which should induce them to pause before superseding it. What the reasons might have been that induced other nations to adopt breech-loading ordnance he would not now say; but of this he was perfectly aware—that the first attempt to use the system on a large scale had not been successful, great though the expense was which the change involved. He was speaking within the facts when he said that the Franco-German War had afforded an experience which had entirely modified the opinions entertained with regard to the breech-loading system. He believed of late the Government had modified their opinions also, finding the great risk and danger of the system, which seemed to increase in proportion as the size of the ordnance had been increasing. It was indisputable that the disrupting power of a heavy charge increased in a much greater ratio than the resisting power of the ordnance in which it was employed. That was the result of many experiments; and he thought it was abundantly proved that the breech-loading system was defective and on the wane. But whatever deficiencies might be experienced in the gun now in use in our Service, any attempt to introduce a new system should be adopted with very great caution—he would go almost the length of saying with great suspicion. The casualties whereby breech-loading guns were disabled were out of all proportion greater in number and seriousness than those which occurred in the case of muzzle-loading guns; the accidents to the latter, indeed, came within a very limited extent. He had, therefore, moved for a Return giving details of the number of breech-loading guns not only withdrawn from the Service in consequence of the adoption of the muzzle-loading system, but in consequence of casualties which had arisen in their use. Now, the point as between these rival systems was one of great importance to ourselves, largely because of the limited number of breech-loaders which were in use in the regular Service; and in case of a sudden emergency we should have to depend, to a great extent, upon Volunteers, assisted by the Militia, than whose officers, indeed, none could, speaking generally, be better instructed in the handling of their arms. But, still, inasmuch as breech-loading ordnance was of a very fine and delicate character, and required the most perfect care to elicit its power, and as the muzzle-loader was by comparison so remarkably safe and simple, it was of very great importance, even upon the lowest ground—that of getting the most use out of the arm—that they should not hastily make any change in the direction of breech-loading in our Service. As an illustration, he might mention that in the firing of a 40 lb rifled breech-loader a very small mistake, which might easily happen in any case, very nearly caused a serious accident, and the gun was disabled for nearly 24 hours before it could be got into position again. There was another point in regard to the matter upon which he ventured to lay great stress. He had spoken of breech-loaders being an enemy to safety, and so they were; because, giving the greatest strain at the point where it was required, the greatest strength weakened the gun. Mechanical science, backed by an enormous expenditure of money, might enable them to get over the difficulty; but, in the meantime, they should be slow to give up a system which was not attended with the risks he had indicated, and which fairly satisfied the great object—certainty of accuracy. He wished to know how many muzzle-loading rifle guns there were in the Service? and the number in position at home and abroad must be great; because, to his own knowledge, important works had been left unsupplied with the heavier calibres of muzzle-loading guns for the last two years, in consequence of the enormous demand made by the Army and works abroad. Then it was important they should know how many breech-loading guns had been withdrawn from the Service—whether because they were to be replaced by muzzle-loaders, or on account of casualties? They all knew how great the risk was in the use of breech-loading guns; and he had some reason to believe that the reports of casualties to them, of which they had heard a great deal, were probably not much exaggerated. Those were the reasons which had induced him to ask for the Returns on the Paper. He had no doubt they would take some time to prepare; but he considered it right that the country should know what expense a change in the present system would involve.

Lord Waveney

Moved, That an humble Address be presented to Her Majesty for

1. Return of the number of muzzle-loading rifled guns in position or used ashore or afloat, divided into classes by calibres:

2. Return of the number of breech-loading rifled guns now withdrawn from the service that have been in position or used ashore or afloat, divided into classes by calibres:

3. Return of the number of casualties to such breech-loading rifled guns whereby they have been rendered wholly or temporarily unserviceable:

4. Special Return of the number of breech-loading rifled guns, sea service, which were thus rendered wholly or temporarily unserviceable in the last naval campaign against the forces of the Daimios of Japan:

5. Gross cost of supplying the land and sea services with muzzle-loading rifled guns of all calibres.—(*The Lord Waveney.*)

VISCOUNT BURY said, that when the Notice was put on the Paper the noble Lord asked whether the Returns could be granted? and he replied that he thought they could; and the noble Lord then stated that in bringing the matter forward he intended to assign some reasons which, he believed, would be satisfactory to the Government, for producing the Returns. The noble Lord, judging from his speech, seemed to apprehend lest the gun now in use should be changed, and he required the Returns in order to guard against a change. He was informed that the Returns would not only be very difficult to obtain, but extremely costly, and that they would be of no particular value when prepared. He was sorry, therefore, that, notwithstanding the promise given to the noble Lord, he could not, on the part of the Government, assent to the production of the Returns; and he would ask the noble Lord not to press his Motion, but be content with having called the attention of their Lordships to the subject.

THE EARL OF NORTHBROOK said, that perhaps the noble Viscount would not have any objection to state whether there was any intention, on the part of the Government, to alter the present field gun?

VISCOUNT BURY stated that experiments were, of course, always going on, but there was no intention at present to effect any change.

THE DUKE OF SOMERSET remarked, that for 200 years the same gun was used, and then, suddenly, great changes came. Various experiments were made, and considerable expense was incurred.

Although, on the one hand, he was desirous that there should be no unnecessary outlay, on the other hand, he was anxious that no reasonable cost should be spared to insure our having an efficient weapon. A change would necessarily involve great expenditure, because the ammunition adapted to one gun was not suitable for another. It would be unwise for the War Office to pledge themselves that there should be no change whatever, for that would prevent any improvement. Ill-considered changes were to be deprecated; but the War Office must watch and make experiments, so that other nations should not surpass us, and this country might have the best available weapon.

LORD TRURO inquired whether the experiments now going on were with the view of improving the existing gun, or of determining whether there should be a change from the present system — a change from the muzzle-loading to the breech-loading gun?

VISCOUNT CRANBROOK said, a good deal of discussion took place on this subject while he was at the War Office. During that time the Department took care to make themselves acquainted with every improvement that was made in other countries. During the late war they had artillery and engineer officers watching the performance of breech-loading and muzzle-loading guns, and in that way, at a comparatively small cost, they obtained a vast amount of valuable information. The War Office would not be worthy of the name unless experiments were incessantly made, in order to secure an efficient weapon. After investigating the matter, he came to the conclusion that muzzle-loading guns had answered admirably; and while he was at the War Office there appeared to be no reason why the breech-loader should be preferred, either in respect of safety or rapidity of firing. It might be relied upon that whoever was in charge of the Department would employ the best officers in the Service to observe what was going on abroad and experiment at home—officers who had made artillery the study of their lives, and who were wholly unprejudiced. They looked into everything, and kept the War Office thoroughly well-informed, not with the immediate object of change, but with the view of suggesting change if they saw the necessity. Under such circumstances, he was confident that if the necessity arose the country would consent to change, whatever expense the process might involve.

VISCOUNT CARDWELL said, there could, of course, be nothing finite with respect to the construction of guns. It was not because great improvements were made to-day that other changes might not be wanted to-morrow; but if the question had not been asked, their Lordships would not have had an opportunity of hearing the satisfactory statement from the noble Viscount to which they had just listened.

Motion (by leave of the House) *withdrawn.*

RAILWAY ACCIDENTS.

QUESTION. OBSERVATIONS.

LORD COTTESLOE asked the noble Lord representing the Board of Trade, Whether the Board intends to make any representations to the Railway Companies of the United Kingdom respecting the state of the platforms at their respective stations, and of the foot-boards and door-steps on their carriages, with reference to the safety and convenience of passengers getting into and out of carriages on the platforms; and whether they would endeavour to obtain from the several Companies, from time to time, Returns of the alterations made, with a view to the removal of the dangerous intervals now existing at many stations, both vertically and horizontally, between the floor of the carriages and the level of the platforms, which, as recommended by their Inspectors, Sir H. Tyler and Colonel Yolland, should not exceed four inches where the platforms were on the curve, and two inches where the platforms were straight? As the subject was under the consideration of the House a short time ago he would, probably, be expected to assign some reason which would justify his again calling attention to it. The noble Lord who replied to the Question on the last occasion (Lord Henniker) stated that the Board of Trade were quite aware of the dangers to which railway travellers were exposed through the want of properly-constructed platforms and footboards; but that, although they concurred with the recommendations which had been made to the Railway Companies, they did not see their way to the proposing of any measure on the matter. That statement he considered unsatisfactory; and he hoped that on further consideration the Board of Trade would deem it advisable to take action. He was sure that the President of the Board of Trade could make representations to the Railway Companies, which would induce them to make alterations in accordance with public requirements, and the Returns now asked for would enable Parliament to judge whether further legislation was required. When the matter was last under discussion, the unfortunate death of Sir Francis Goldsmid was fresh in their Lordships' minds. The noble Lord representing the Board of Trade on that occasion referred to the Correspondence which had passed between the Board and the South Western Railway Company. At that time the Papers were not in the hands of their Lordships, but since then they had been presented to Parliament, and he must say that he did not consider the statement of the Company satisfactory. They were asked what measures they intended to take in order to prevent a repetition of such an accident? and, so far as he could see, they gave no answer to the inquiry. They appeared, in fact, to object to any interference whatever. Under such circumstances, he conceived that Parliament was bound to do something. Parliament ought to interfere and call upon the Railway Companies to discharge their duties to the public. It seemed to be thought that the Companies would soon awake to the necessity of taking action themselves; but whether that awakening was to be by the force of public opinion, by legislative action, or by the mild persuasion of the Board of Trade, was not clear. It was said that there was no wrong without a remedy; but in the present case the wrong was admitted, and the remedy was not yet forthcoming. He hoped, consequently, that the noble Lord would give an assurance that the Board of Trade would take some steps in the matter.

Lord HENNIKER was sure that their Lordships, like himself, would acquit the noble Lord of desiring anything in raising the discussion, except to serve the public interest. He thought he could safely say that, great as was the interest taken by the noble Lord in the subject, the interest taken by their Lordships was equally great. The matter was constantly under the consideration of the President of the Board of Trade; but as it had lately been discussed, it was only necessary that he should briefly answer the Question of the noble Lord. He might state, for the information of their Lordships, that for a long time past it had been the practice of the President of the Board of Trade to communicate with the different Railway Companies with regard to their platforms and foot-boards on all occasions when his attention was called to their dangerous or inefficient condition. The Board of Trade now proposed to address a Circular Letter to all the Railway Companies in the United Kingdom, inquiring what steps they had taken, and were about to take, for providing proper platforms, as well as proper door-steps and continuous foot-boards to all their carriages, so that passengers might be fully protected and provided with the greatest possible convenience? The Board of Trade regretted that they were not in a position to assent to the Return on this subject, which the noble Lord was anxious to obtain. It would be very difficult, and also most costly, to prepare; and would not, even if it were possible to obtain all the facts sought for, give the noble Lord the information he desired to elicit. At the same time, he need scarcely say that the Board of Trade were anxious to do whatever they could in the matter.

SUPREME COURT OF JUDICATURE (OFFICERS) BILL [H.L.]

A Bill to extend for a further limited period section thirty-four of the Supreme Court of Judicature Act, 1875—Was *presented* by The Lord Chancellor; read 1ª. (No. 158.)

House adjourned at Six o'clock, to Monday next, Eleven o'clock.

HOUSE OF COMMONS,

Friday, 12th July, 1878.

MINUTES.] — Public Bills — *Ordered—First Reading* — Thames River (Prevention of Floods) [262].

First Reading—Telegraphs* [257]; Statute Law Revision * [263].

Second Reading—Police Expenses Act Continuance * [256].

Committee—Admiralty and War Office (Retirement of Officers) [169]—R.P.

Committee — Report — Highways (*re-comm.*) [214].

Third Reading—Weights and Measures * [229], and *passed.*

The House met at Two of the clock.

QUESTIONS.

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POLLUTION OF RIVERS ACT, 1876—LEGAL PROCEEDINGS.—QUESTION.

SIR UGHTRED KAY-SHUTTLEWORTH asked the President of the Local Government Board, Whether he can inform the House regarding "The Pollution of Rivers Act, 1876;" how many summary orders requiring offenders to discontinue pollution have been made by county courts; in how many cases local authorities have taken proceedings to enforce the Act; and in what parts of the country the Act has been put into operation?

MR. SCLATER-BOOTH, in reply, said, he could not state, because there was no information at his disposal, what were the number of orders which had been made by the County Courts, nor in how many cases proceedings had been taken to enforce the Act referred to. He knew, however, that proceedings had been instituted in many districts. In three cases of those which had been dealt with by the Local Government Board the Inspectors had received applications for certificates that all practicable means had been adopted to prevent pollution; but these certificates they had refused to give. In eight cases applications had been received for extension of time to do the necessary work. In three extensions had been granted, and others were under consideration. The Act was in operation in Herefordshire, Shropshire, Norfolk, Lincolnshire, Kent, and other counties. It was, in fact, becoming well understood, and was being brought into operation in the way which was contemplated by the Government when they brought forward the Act.

ARTIZANS DWELLINGS ACT, 1875—OPERATION IN IRELAND.

QUESTION.

SIR UGHTRED KAY-SHUTTLEWORTH asked the Chief Secretary for Ireland, Whether he has observed that the Committee, appointed by the Treasury to inquire into the Board of Works (Ireland), account for the absence of results in Ireland from "The Artizans' Dwellings Act, 1875," by saying (Report, p. xi.), that it

> "has not as yet been long enough in operation to admit of advantage being taken of its provisions to any appreciable extent;"

whether, considering that a recent Parliamentary Return (No. 206) shows that much advantage has already been taken of the same Act in England, he can suggest other reasons than that given by the Committee for its want of effect in Ireland; and, whether he proposes to take any steps to encourage or facilitate a more energetic use of this and other Statutes for the improvement of working people's dwellings in Ireland?

MR. J. LOWTHER: Sir, I am not aware what the Committee intended to convey by the paragraph in their Report to which reference is made; but I fancy the hon. Baronet must have placed a construction upon it which it was not calculated to bear, although I confess that I drew a similar inference myself until I ascertained how the case stood. The real facts, however, are that there are in Ireland five towns having a population of upwards of 25,000, within which limit the Act is confined. In England there are 71, and in Scotland six towns, to which the Act extends. The Report, perhaps, rather leads one to imagine that the Act has been taken less advantage of proportionately in Ireland than in other parts of the Kingdom; whereas the fact is, that out of the five towns in Ireland, three have availed themselves of the Act—namely, Dublin, where upwards of £36,000; Belfast, where £11,000 odd; and Cork, where upwards of £51,000 has been appropriated under the provisions of the Act; whereas in England only nine towns out of the 71, and in Scotland only one out of the six, have taken advantage of it. The House will, therefore, see that Ireland has proportionately availed itself of the Act to a far larger extent than other portions of the United Kingdom.

Mr. ASSHETON CROSS: I think the time has now come when inquiry should be specially made in reference to the towns in England where an official Report has been made and no action taken upon it, why the matter has not been attended to.

ARMY—THE COMMANDER-IN-CHIEF—LEAVE OF ABSENCE.—QUESTION.

Major O'BEIRNE asked the Under Secretary for War, If he would explain why the name of his Royal Highness the Duke of Cambridge, Commanding in Chief, has been omitted from the following Return:—

> "Return of the number of days' leave of absence granted during each Parliamentary Recess since the 1st day of February, 1874, to Members of the House of Lords and House of Commons on Full Pay in Her Majesty's Service, and of the names of each Member of either House of Parliament who, while on Full Pay, since the 1st day of February, 1874, have performed military duty during the Session of Parliament, and the names of such as have not done so?"

Colonel LOYD-LINDSAY: The name of His Royal Highness was omitted from the Return advisedly. As Field Marshal Commanding-in-Chief leave of absence is not required by His Royal Highness, who continues always in the execution of his office, being always on duty. Any papers which are received are sent to him, and are dealt with by him both when he is absent from the War Office, or at any other time.

THE EASTERN QUESTION—THE CONVENTION WITH TURKEY—MONEY VOTE.—QUESTION.

Sir CHARLES W. DILKE asked Mr. Chancellor of the Exchequer, Whether any application to Parliament for money will at once be made when the recent arrangement with Turkey will come under the notice of the House?

The CHANCELLOR of the EXCHEQUER: Sir, I do not think the Question, if I may say so, is very clearly expressed; but what I understand it to mean is, whether a Vote will be asked for in connection with the arrangement which has recently been made. Yes, Sir, a Vote will undoubtedly be asked for.

Sir CHARLES W. DILKE: May I ask when?

The CHANCELLOR of the EXCHEQUER: As soon as possible.

PARLIAMENT—PUBLIC BUSINESS—SCOTCH BILLS.—QUESTION.

Mr. BAXTER: The Home Secretary stated yesterday, in answer to a Question in reference to Scotch Business, that it was intended to proceed with the Education Bills; but he made no reference to two other Bills, and an impression has been created that they will not be proceeded with. I, therefore, beg to ask, Whether it is the intention of the Government to proceed this Session with the Under Secretaries of State Bill and the Lord Clerk Register (Scotland) Bill?

Mr. ASSHETON CROSS: Two classes of objections have been taken to these Bills. In the first place, so far as the Under Secretaries of State Bill is concerned, an objection has been taken in Scotland that it would interfere with the position and standing of the Lord Advocate for the time being. I think that is a very fallacious view of the matter, and one that further investigation will dispel. The objection taken to the other is of a more serious and practical character; and that is, that it is proposed to take some of the funds from the Register Office in order to pay the Under Secretary of State. That has given rise to a great deal of discussion in Scotland. I hope, in the course of the autumn, to be able individually and personally to inquire thoroughly into the Register Office; and, as a matter of this kind should be passed with the full sanction of Scotland, and not against the wish of a portion of it, I propose to postpone the Bill until I have had an opportunity of making this investigation.

Mr. BAXTER: Is it proposed to go on with the Under Secretaries of State Bill this year?

Mr. ASSHETON CROSS: I think the House will be disposed to leave this Bill till after the investigation. I may state frankly, however, that my own views on the subject are entirely unchanged.

ORDERS OF THE DAY.

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HIGHWAYS (*re-committed*) BILL.

[BILL 214.]

(*Mr. Sclater-Booth, Mr. Salt.*)

COMMITTEE. [*Progress 9th July.*]

Bill *considered* in Committee.

(In the Committee.)

MR. SCLATER-BOOTH moved, after Clause 20, to insert the following Clause:—

(Application of 7 and 8 Geo. IV. c. 24, s. 18, with respect to minerals to disturnpiked roads and to highways.)

"Notwithstanding anything contained in section sixty-eight of 'The Public Health Act, 1848,' or in section one hundred and forty-nine of 'The Public Health Act, 1875,' all mines and minerals under any disturnpiked road or highway which has or shall become vested in an urban sanitary authority by virtue of the said sections, or either of them, shall belong to the person who would be entitled thereto in case such road or highway had not become so vested, and the person entitled to any such mine or minerals shall have the same powers of working and of getting and carrying away the same respectively as if the road or highway had not become vested in the urban sanitary authority, but so nevertheless that in such working, getting, and carrying away no damage shall be done to the road or highway.

"This section shall extend to the Isle of Wight and to South Wales, as defined by the said Act of the twenty-third and twenty-fourth years of the reign of Her present Majesty, chapter sixty-eight, intituled 'An Act for the better management and control of the Highways in South Wales.'"

SIR WALTER B. BARTTELOT asked what was to become of the roads if they were found to be of no use to the parish or district, or county, and were given up? Were they to revert to the owners of the soil on each side? Who were to be the persons who were to have an absolute right to such roads? In dealing with a question of this kind, he thought the whole of the circumstances ought to be taken into account; whereas the right hon. Gentleman only proposed in the clause to deal with the minerals under disturnpiked roads and highways. He thought the Committee would be glad to have a little more explanation from the right hon. Gentleman.

MR. SCLATER-BOOTH said, the clause dealt exclusively with those roads which were now vested in local boards, and with no others; and it was rendered necessary in consequence of some uneasiness which had prevailed owing to a decision of the Lord Chief Justice in regard to the definition of a road as contained in the Acts of 1848 and 1875. The clause proposed to deal with the matter so as to prevent, in future, needless appeals, and to clear up all ambiguity. He thought that in another year, when the Highway Acts generally were brought under consideration, it would be desirable to see what alterations were required in the Highway Acts. The question was a complicated and difficult one; but the present clause applied to the main roads only, and the question would remain precisely as it had remained before the decision to which he had referred.

MR. WHITWELL was inclined to think that this was a question which ought to have been reserved for another Bill, as it appeared to involve various matters of difficulty. He hoped the attention of the hon. and learned Member for Cambridge (Mr. Marten), who proposed to deal with the question of turnpike roads with a view of settling any rights which such turnpike roads might have acquired, or which might have lapsed, would be drawn to the subject. He (Mr. Whitwell) was inclined to think that the clause, as it stood, would alter the law as to turnpikes; because it proposed that all mines or minerals under any disturnpiked road or highway should become the property of the highway authority, who should see that in working the minerals the road was not injured or endangered. But how could anybody know in such a case whether harm would be done to the highway until it was actually done? There were instances in the mining districts of this country where the coal laid as closely under the public roads as it did under houses in certain parts of Cumberland, Staffordshire, and elsewhere. In the case of railways, he believed that no one could make a railway under a road without giving notice. In the same way, in taking away minerals from under a highway, notice should be given to the highway authority before the works were commenced, so that they might look after their own interests. It would be an extraordinary thing to say to the persons who were engaged in getting coal out from beds beneath the highways, that there were no means of meeting the difficulty; and that when the highway authority sought to recover the cost of repairing a road which had been damaged by taking minerals from under it, he should be told that he was powerless to obtain it. If there was to be this change and reversal of the judgment of the Court, he thought there should be some provision requiring notice to be given to the highway authority when minerals were about to be taken, as well as a provision giving away the property in the minerals themselves.

Mr. A. F. EGERTON said, he was acquainted with the regulations with regard to the working of minerals in Lancashire; and, as he understood the clause, it did not make the slightest alteration in the law as it stood at present. The origin of the clause was, as his right hon. Friend the President of the Local Government Board had said, that there had been a decision of the Lord Chief Justice, which appeared to vest the soil in the roads in the local authorities of the district. The effect of that decision would have been to vest, not only the soil, but the right to the minerals beneath, in the local boards. The consequence of that would have been that every mining lease in Lancashire would have been disturbed; and as a large number of persons in Lancashire were interested in mineral property, it was very desirable that the state of the law upon this point should be cleared up. He thought the hon. Member for Kendal (Mr. Whitwell) might rest quite easy that the clause now proposed would not alter the state of the law in regard to these highways from that which existed previous to the decision of the Lord Chief Justice. He did not think it would be necessary to enforce upon the owners of minerals any condition that in working such minerals they were not to damage or disturb a road above. As the law now stood, if a highway sank, or the surface of a road was disturbed, the owner of the minerals beneath was bound to repair the damage done. That this was so was within his own knowledge, as he had himself been required to spend £200 or £300 upon a road which had fallen in to the extent of some three or four feet. He believed there was no doubt at all as to the liability of those who worked the minerals underneath a public road to keep the road in proper repair if it was injured by their action. If the decision remained unaltered, it would be almost impossible to draw a coal lease in Lancashire or anywhere else properly. This clause was therefore a very necessary one, and would not do any injury whatever, or make any alteration in the law as it stood previous to the decision of the Lord Chief Justice.

Mr. BRISTOWE hoped the right hon. Gentleman the President of the Local Government Board would maintain the clause as it stood. It appeared to him (Mr. Bristowe) to be quite in the right direction, and he should be sorry to see it amended in the way that had been suggested. There was no doubt that, according to the law as it stood before the decision which had been referred to, the owners of the soil adjacent were supposed to be the owners of the property beneath the highways, so far as the getting of minerals was concerned, and the presumption was that they, or their ancestors, had given a right of way over the land in the first instance. The owners, however, were bound not to interfere with the rights of the users of the highway; and if, in working and getting minerals, they in any way interfered with the public use of a road, they would be liable for any damage that was done. It appeared to him that the clause, as it was submitted by the right hon. Gentleman the President of the Local Government Board, was quite correct.

Mr. SCLATER-BOOTH said, he proposed to strike out the word "respectively" in line 8 of the clause, and to substitute the words "or other minerals."

Mr. W. BEAUMONT expressed his approval of the proposed Amendment.

Amendment, as amended, *agreed to.*

Mr. PEASE proposed to insert at the end of the first paragraph of the clause, after the word "highway," in line 11, the words "without repairing such damage." The clause as it stood read—

> "but so, nevertheless, that in such working, getting, and carrying away, no damage shall be done to the road or highway."

The hon. Member for Kendal (Mr. Whitwell) had referred to the case of coal mines in Cumberland and Northumberland, where it was the custom to work out the minerals and pay the highway authority for any damage done to the highways. This clause, however, in its present shape, would prohibit the owner of the minerals from working them out in any case where it was impossible to do so without technically damaging the roads above. He asked his right hon. Friend the President of the Local Government Board to assent to this Amendment, which would only have the effect of leaving the law precisely as it stood at present.

MR. SCLATER-BOOTH said, he had no objection to the insertion of the words proposed by the hon. Member.

MR. BULWER said, it appeared to him that if the words proposed were inserted, the clause might be difficult to construe, and it would be better to bring them up on the Report, so that in the meantime they might receive fuller consideration. The clause should not contain an absolute prohibition against doing damage to the road by working the minerals, and, at the same time, give permission to do damage, provided it was paid for.

MR. SCLATER-BOOTH said, the object of the Amendment, of course, was that the owners of the minerals should be enabled to work them as they were now, and that if they committed any damage they should be liable to pay for it. If that was the law as it now stood, he would take care that it was made quite clear in the Bill.

MR. PEASE said, he should be perfectly content if the right hon. Gentleman would give an intimation that the clause would be altered on the Report, so as to make the matter clear. At the same time, he thought the meaning of the words which he (Mr. Pease) had himself suggested was quite obvious.

Clause, as amended, *ordered* to stand part of the Bill.

MR. ESTCOURT moved, in page 6, after Clause 17, to insert the following Clause:—

(Term "bridges" to include viaduct, &c.)

"The word 'bridges' in the twelfth section of the Act of the Session of the thirty-third and thirty-fourth of Queen Victoria, chapter seventy-three, shall be deemed to extend to and include viaducts and other structures of a similar nature previously repaired by the trustees of a turnpike road."

He said he had undertaken to submit this clause on behalf of his hon. and gallant Friend the Member for West Gloucestershire (Colonel Kingscote), who was unable to be present. He believed that such a clause would be necessary; because, in several instances where the county had taken over bridges, there had been a desire to split straws in the matter, and the county had only consented to adopt the one or two arches of a bridge beneath which the water actually flowed, contending that the remaining arches were viaducts, which they were not called upon to take over. It appeared to him that by the 12th section of the Act of the 33 & 34 *Vict.* c. 73, all the bridges handed over by the abolition of a trust became county bridges; and if a portion of them were more in the nature of viaducts than of bridges over streams of water actually flowing, they had been, nevertheless, built, repaired, and maintained by the turnpike trust, which had lately been done away with. He, therefore, thought that in transferring the liabilities of the trust there ought to be no question about these bridges becoming county bridges. A legal opinion had, however, been taken by the Court of Quarter Sessions of a neighbouring county in regard to certain bridges between the counties of Wilts and Somerset, and that opinion was to the effect that the county was liable to repair the whole of the viaduct, as well as those arches under which the water passed, and that it was the duty of the county, not only to repair an arch under which the water passed, but to repair all the arches forming part of the same structure. The counsel consulted ended his opinion by declaring that the whole of the viaduct was liable to be repaired by the county. There had, however, been a difficulty hitherto in inducing the county to take over a bridge in which there were arches under which no water flowed; and in order to remove any future difficulty, he would move the addition of a new clause, to provide that the term "bridges" should include viaducts and other structures of a similar nature previously repaired by the trustees of a turnpike road.

MR. SCLATER-BOOTH said, he did not think it was desirable that this should be an Act of Parliament to settle all disputed cases between the local authorities and the counties. His hon. Friend had read a legal opinion, which seemed to show that the counties were already liable. He (Mr. Sclater-Booth) was very glad that that was so; and he hoped that hereafter the counties would take upon themselves the duty of repairing viaducts of the nature referred to. In the words proposed by his hon. Friend the Member for Wiltshire (Mr. Estcourt)—namely, "viaducts and other structures of a similar nature," there was some uncertainty. There was no question whatever as to the liability of the county to repair the bridges belonging to the county, which was handed over to them by the Turnpike Act of 1870. He did not think it would be desirable to insert the clause proposed by his hon. Friend; but he thought it would be generally understood that the work of repairing and maintaining would be done by the authorities of the county.

Mr. PAGET, as representing the county which owned the structure referred to, wished to take exception to the principle laid down by the hon. Member for Wiltshire. He thought the authorities of a county were bound to act within the limits of the law, and that they had no right to accept as a county bridge anything that was not proved to them to be a county bridge. He doubted whether the Amendment proposed by his hon. Friend would, if adopted, be sufficient to decide the question whether, in the particular case mentioned by his hon. Friend, the structure would be a bridge or not, unless he went a step further, and defined, what had never yet been defined—namely, what was a bridge, and what was not a bridge. He believed the county of Yorkshire had decided that they would not take over anything beyond 10 feet wide; but all these questions were of an arbitrary nature, which each county had to decide for itself. If there was a distinct decision, or a distinct definition was laid down as to what constituted a bridge, the authorities would have a guide in dealing with these turnpike roads. The proposed Amendment would, however, be altogether insufficient for that purpose, and would not deal with the matter as it ought to be dealt with. If his hon. Friend the Member for Wiltshire (Mr. Estcourt) would bring up another Amendment on the Report, giving a clear definition of what was to constitute a bridge, he might do good service, especially if his clause was so drawn that everybody could understand it. With such a definition laid down, the county authorities would have no difficulty in deciding what was a bridge and what was not.

Mr. ESTCOURT did not know that he would be able to draw up a clause actually defining what a bridge was as well as his hon. Friend the Member for Mid-Somerset (Mr. Paget); and he hoped his hon. Friend would give him his assistance in drawing up a clause of this nature, if it were considered to be necessary. He only wished to add to what he had already said, that the bridge of which he had been speaking was not a viaduct pure and simple. It did go over a stream of water; but, as it happened, only two of the arches, or, probably, only one, crossed over the water itself, the others being in the nature of a viaduct leading from the bridge to the land.

The CHAIRMAN: Does the hon. Member propose to withdraw his Amendment?

Mr. ESTCOURT: Yes.

Amendment, by leave, *withdrawn.*

Mr. SPENCER STANHOPE intimated that he did not intend to move the clauses which stood on the Paper in his name, for transferring liabilities respecting county bridges from the county to the borough authorities, and giving the county authority to purchase private toll bridges.

Mr. DUNDAS moved, in page 8, after Clause 20, to insert the following Clause:—

(Bridge roads.)

"The liability of a county or hundred to repair any road leading to, passing over, or next adjoining to any bridge repairable by a county or hundred, shall cease and determine on the first day of April, one thousand eight hundred and seventy-nine, and every such road shall thenceforth be kept in repair by the highway authority of the highway area within which it is situate, and the expense of maintaining such road shall be charged on the fund or rate applicable to the repair of highways within such area, unless such road be a continuation of a main road, in which case the provisions of this Act relating to the maintenance of main roads shall apply to such road: Provided, nevertheless, That where at the commencement of this Act there is subsisting any contract for the repair of any road repairable by a county or hundred, this section shall commence to take effect with regard to such road upon the determination of the contract relating thereto."

He stated that the object of this clause was to relieve the counties from a responsibility to which they were at present liable. Although they were no longer liable to defray the expense of repairing and maintaining bridge approaches on the disturnpiked roads, yet there remained a large number of roads, used as approaches to bridges, which they were called upon to maintain and repair. In the North Riding of Yorkshire—the locality with which he was best acquainted — the county had to repair some 17 or 18 miles of road, which consisted of small portions of road, not more than a few hundred feet in length, scattered all over the county. The expense was very great, whether the county employed its own officers in conducting the repairs, or whether it got the repairs executed by contract. In the case he had mentioned—namely, the North Riding of Yorkshire, the expense was about £990 a-year, or at the rate of about £56 a-mile; whereas the expense of maintaining the turnpike roads generally only amounted to about £28 per mile. What he proposed in this clause was that these roads which constituted the approaches to certain bridges should be treated exactly the same as the roads themselves. If they were main roads, half the expenses would be paid by the county; and if they were highways, and not main roads, they would be repaired as highways at the expense of the highway authority. The convenience would be very great, and there would be a considerable saving of expense. He hoped the right hon. Gentleman the President of the Local Government Board would be willing to accept the clause on the part of the Government, and he was satisfied that it would introduce much greater simplicity into the law.

SIR HARCOURT JOHNSTONE said, the Amendment proposed by his hon. Friend the Member for Richmond (Mr. Dundas) was a most useful and practical Amendment, and, if adopted by the Committee, would lead to a considerable diminution of the expenses of the county surveyors. In most of these cases, at present, the county surveyor had to make an arrangement for the work being done with the surveyor who represented the highway authorities, and it appeared to him (Sir Harcourt Johnstone) that it would be much better to allow the highway authorities to do the work on their own accord, and also pay for it. They would not be damnified to any great extent, when it was borne in mind that they would be relieved from serious payments, which, although now falling upon the highway authorities, would, when this Bill passed, be defrayed out of the county rate. The matter was one to which his attention had already been called by the authorities of the North Riding of Yorkshire, and especially by the Chief Constable, who possessed a considerable knowledge of the district; and he was bound to say that he was of opinion that the clause proposed by the hon. Member for Richmond (Mr. Dundas) would be a most economical and useful clause to adopt. It was a common opinion among the farmers of the district in which he happened to live that it was a most desirable change to bring about; and he thought that, taking the whole area of the county, there would really not be any case of hardship to individual ratepayers. In point of fact, it would come in the end to about the same thing, and it would certainly simplify very greatly the work of maintaining and repairing these approaches to the county bridges. He trusted that the right hon. Gentleman the President of the Local Government Board would not think it out of place to adopt the clause.

MR. SCLATER-BOOTH said, he was sorry that he was compelled to oppose the Amendment; but he thought there was a serious objection to it, which he would lay before the Committee. He quite agreed that it was not a very large money question; but still, as far as it went, it introduced a principle which was contrary to that which was the policy of the Bill, because it proposed to remove a charge from a larger area for the purpose of placing it upon a smaller area. He had no doubt that in Yorkshire the district boards had competent surveyors, who would do the work well, and not care very much about the difference in the cost; but in other parts of the country, where the charge would fall, not upon the highway district, but upon the parish authorities, it might become a very serious charge indeed, if, in addition to the highway rates of the parish, which they were accustomed to pay now, they were saddled with the expense of maintaining and repairing roads, many hundreds of yards in length, for which the county was now chargeable. There was, however, the objection of principle, quite apart from the question of throwing an additional burden upon the highway authorities for the repair and maintenance of these approaches to the bridges. Then, again, unless the repairs were well looked after, and if the approaches were not good, the bridges themselves might undergo serious deterioration. Therefore, he thought that the repairs to the approaches should remain in the same hands as those who were charged with the maintenance and repair of the bridges themselves. On these two grounds, he certainly considered the clause proposed by the hon. Member for Richmond (Mr. Dundas) an Amendment that ought not to be inserted in the Bill. He had no doubt that, as time went on, there would be some arrangement by which the districts would be empowered to contract with the counties for the repair of these roads, in connection with other duties; but at present it did not seem to him that this was an alteration which was without objection in itself, and it was certainly a transfer of charge in an opposite direction to that upon which the Bill proceeded. Upon these grounds, he could not consent to accept the clause.

Mr. FLOYER said, he did not think that the argument of his right hon. Friend the President of the Local Government Board, in regard to the principle of the Bill, was quite satisfactory; because the principle of the Bill was to adopt a larger area of management, and to place under the control of the county that which would best come under its authority, so far as management was concerned. Nobody could suppose, however, that the county authority would supply the best mode of managing little petty bits of road all over the county. The county surveyor would be required to make continual journeys to distant parts of the county, in order to ascertain whether it was necessary for him to do anything or not, and he would have to enter into little contracts with the local surveyors. He (Mr. Floyer) certainly looked upon this as a costly and extravagant mode of doing business, and the duty of maintaining and repairing these approaches would be done by the local authorities at one-half or one-fourth of the expense. Wherever there were highway districts, the surveyor of the highway district was the proper person to look after the matter, and in the case of a parish, the surveyor of the parish should attend to it. There would be no more difficulty in repairing a road that was used as an approach to a bridge than there would be in repairing one anywhere else. The only doubtful point in the proposition of the hon. Member for Richmond (Mr. Dundas) was, perhaps, that the hon. Member ought to have included the bridges also. The whole thing ought to come under one management, and it was a moot point whether the best course would not be to place the bridges under the Highway District Boards. Personally, he was entirely in favour of local management and local supervision. If they had county management, the county authorities might live in a distant part of a large county, probably 30, 40, 50, or 60 miles off. What would they know about the way in which the roads in the distant parts of the county were managed? It could not be expected that members of the County Boards would go about the county travelling for great distances, in order to ascertain the state in which the roads were kept, and the result would be that the work would fall into the hands of one county surveyor, with nobody to control him. He did not think that this large area in other respects was a very good thing; and, as regarded these little bits of road, scattered all over the county, it would, he thought, be better to place them in the hands of the local authority. If the hon. Member for Richmond would press his Motion to a division, he (Mr. Floyer) would have great pleasure in supporting him.

Mr. PAGET said, that his objection to the clause was that it did not go far enough; but he would remind the House that this was professedly not a Bill to deal comprehensively with the whole question of highways, but only with a certain portion of the laws regarding them, and that only temporarily. They were promised in the future a larger measure to alter and consolidate the Highway Acts, and that, he thought, would be the time to introduce the principle proposed by the hon. Member; and he would, therefore, advise him not to attempt to deal with it fragmentarily at present.

MR. WHITWELL agreed that it would be unwise to make the alteration in the Bill. They all knew that the county surveyor had great difficulty in managing bridge roads, and had to give much more attention to those small tracts than he would to larger roads; but the great objection was that if they took away from the county surveyor the control of the approaches to bridges, they ran a great risk of damaging the approaches.

MR. DUNDAS said, that he was not convinced by the arguments of the right hon. Gentleman the President of the Local Government Board. He thought, however, there was some force in the objection that a new charge would be thrown on the parish in counties where the Highway Acts had not been adopted. He hoped he might augur from the remarks of the right hon. Gentleman that the promised Bill would make the enlarged areas universal, and with this hope he would be quite content to let the matter rest, and to withdraw his clause.

Clause, by leave, *withdrawn.*

MR. SHAW LEFEVRE moved the insertion of the following Clause:—

(As to encroachment of roadside wastes.)

"From and after the passing of this Act if any person encroaches by making or causing to be made any building, or pit, or hedge, ditch, or other fence, on the open side or sides of any highway being a carriage way, or by removing any soil or turf from the open side or sides of any highway being a carriage way, except for the purpose of improving the road, and by order of the highway board, or, where there is no highway board, of the surveyor, he shall be subject on conviction for every such offence to any sum not exceeding forty shillings; and it shall be lawful for the justices assembled at petty sessions, upon proof to them made upon oath, to levy the expenses of taking down such building, hedge, or fence, or filling up such ditch or pit, or restoring the injury caused by the removal of such soil or turf, upon the person offending: provided, That—

(1.) For the purposes of this section the open side of a highway shall mean the space intervening between the highway and any fence on the side of the highway;

(2.) This section shall not apply where a highway passes along a common or other uninclosed space;

(3.) This section shall apply only to a space not exceeding a space of thirty feet measured on each side of the centre line of a highway, and the centre line of a highway for the purposes of this section at any point means a line equi-distant from the fence on either side;

(4.) This section shall be deemed to be in addition to, and not in derogation of, any other provision relating to encroachments contained in any Act relating to highways."

The clause, he said, proposed to deal with a very important and intricate question—namely, the right of the public to the roadside wastes. He need hardly point out that the charm of the country to a very great extent depended upon roadside wastes, and if those wastes were to be cut down, so as to leave the road with a minimum width of 15 feet on each side of the centre, country scenery would lose a great portion of its charm. Of late years there had been a great tendency on the part of owners of adjoining lands to encroach upon the roads, and the tendency had been shown to a much greater extent in the outskirts of towns than in the open country. Now, those encroachments were for the most part committed from an entirely mistaken view of the law. It was generally believed that a landowner was entitled to encroach upon a roadside waste up to a distance of 15 feet from the centre, because the Highways Act only gave a remedy for encroachment within that limit, and that gave landowners the idea that they were entitled to inclose the waste up to that extent. There was no doubt that that was an entirely erroneous view of the law. He had consulted numerous lawyers upon the subject, and he had examined all the authorities very carefully himself, and there could be no question whatever that, although the owner of adjoining land had a right to the soil of a roadside waste, yet the public had also a right to go across it; and, although the fences on either side might be 50 or 60 feet apart, yet the public had a right of way over the whole of the space between the fences, and were not limited to the 30 feet defined by the Highways Act. He would venture to call attention to a case where this was laid down by the Courts. The road in question was one of 60 feet in width, and, in 1832, the owner of the adjoining land inclosed the roadside waste. Lord Tenterden, before whom the case was tried, said that he was strongly of opinion that the public were entitled to the use of the whole space of 50 or 60 feet through which the road passed. That case had been followed by numerous others. There was the well-known case of the Electric Telegraph Company, which had failed to obtain an Act to enable it to put up its poles on roadside wastes, and which then obtained the consent of the owners of adjoining land to do so. In that case a rival Company indicted it for interfering with the right of way of the public over the roadside waste. Baron Martin laid down in the clearest possible manner that the public had the full right of the space between the two fences, and that the Company had not the right even with the consent of the adjoining landowners to erect its poles upon the waste. Therefore, he said that, in point of law, where the road passed through a continuous space of 50 or 60 feet, the public were entitled to a right of way over the whole of the space between the fences. The only way now of enforcing the right was by indictment, which was a very costly process, and which most people did not like to undertake; and he believed he was right in saying that even if one could succeed in recovering the space in such an action, he could not succeed in recovering costs. It was a very expensive process, and practically, therefore, there was no real remedy for these encroachments. The right, however, had been tried over and over again. In his own neighbourhood a case arose, and a committee of gentlemen was formed, who entered an action against persons who had been encroaching on the roadside waste. They proceeded by way of indictment, and were successful, the other parties not coming into Court; but even then it was a very expensive process, and cost about £300. There was another case, he believed, in which the late Lord Salisbury had inclosed roadside waste for a considerable portion of the land adjoining his estate. In that case Lord Cowper sent a large force of labouring men to pull down the fences that had been erected, and they were accordingly pulled down; and it was stated that the present Lord Cairns advised Lord Salisbury to take no proceedings in the matter. What he purposed to do by his clause was to give the public a more summary remedy, and to extend that clause of the Highways Act which now only gave protection to 15 feet from the centre of the road, so as to make it 30 feet either way from the centre. He merely extended the summary remedy given under the Highways Act 15 feet further. He, of course, should be happy to make any reservations in the clause that might be thought necessary. As at present drawn, the clause was only in the right of the public, and merely extended the summary clause of the Highways Act with the view of enabling the public to exercise that right which undoubtedly existed at present over all the space between fences. It appeared to him to be quite within the principle of the Bill, and he should be glad to have it discussed. The Bill was called a Highways Bill, and this question was of quite as much importance as many of the others dealt with by the measure.

Mr. RODWELL trusted that the President of the Local Government Board would have some better reason given than had already been adduced by the hon. Member for Reading, before he consented to the introduction of that clause; because he thought there were many rural districts where it would be very inconvenient, and cause a great deal of mischief without any benefit. He did not suppose that anyone would dispute the law which the hon. Member had laid down; but it did not appear to him that it applied to the particular case raised by the Amendment. What the public at present had was a right of way for the convenience of passage to and fro, and what the hon. Member proposed to do was to extend the limit laid down in the 51st clause of the Highways Act by 30 feet—that was, to double it. The law as to public rights of the road would remain the same. The hon. Member proposed that in no case should a farmer take away any soil or turf from a road—a proposition which he considered to be most unreasonable. He thought that the hon. Member himself was guilty of a little encroachment upon the rights of landowners. He submitted to the House that the hon. Member had at present shown no ground for accepting the clause. No doubt, his well-known love for open spaces for the people had induced him to put it on the Bill; but he thought it was a little unfair and quite unnecessary, and, therefore, he should oppose it.

Mr. SCLATER-BOOTH said, that everybody must admire the gallantry and tenacity with which his hon. Friend opposite seized opportunities for advocating the cause of open spaces; but he must say he considered it rather hard on the promoters of the Bill that they should have a clause proposed which would lead to the most knotty and contentious points of law that could be raised—namely, the extent of ownership in lands adjoining roads, in some cases carrying with them manorial rights, and in others, rights of property. But he did not at all wish to argue the case against his hon. Friend. He might have a strong case to set up for extending open spaces by law; but he would point out that the clause of his hon. Friend was practically an Amendment to the whole Highway Law. Now, unless he was misinformed, a turnpike road could not be encroached upon by the proprietor of adjoining land. No doubt, it might be very advantageous to lay down something more clear and definite as to the rights which existed upon roadsides; and, no doubt, they would have plenty of debates upon it when they should get time to discuss that very interesting subject. But he would put it to his hon. Friend whether it was desirable to persist in a clause which would import contentious matter into the Bill?

LORD GEORGE CAVENDISH said, he was not sure that the case was not in a great measure provided for by a clause in one of the Turnpike Continuance Acts. But everything showed that this was a detail which ought to be postponed for a future occasion. Personally, he should be glad to see such a clause passed, for in the neighbourhood where he lived most lawless proceedings had taken place with regard to the roadsides. With regard to the question of the right of the landlord to take away turf, he pointed out that it would be undesirable to have that right exercised in certain cases where the turf formed an admirable gallop for horses. He knew of a capital gallop near Buxton, about seven or eight miles long, and he considered that it would be very disadvantageous to the people of Buxton to have that roadside done away with. All these questions, however, he considered to be matters of detail, and had better not be discussed at present.

COLONEL RUGGLES-BRISE asked whether it was a fact that the highway authority had absolute jurisdiction only over 30 feet of roadway? He could only say, as a member of a Highway Board, that they had laid it down most clearly that no encroachment upon roads was to be made under any circumstances whatever, without special permission from the Highway Board. He certainly thought that the public had a right to much more than 15 feet from the centre of the road, and he could not see why those who rode on horseback should not have the enjoyment of the turf at roadsides. He was rather surprised to hear what the state of the law was, for he had never understood it to be so. At any rate, if the Motion of the hon. Member opposite did no other good, it had produced some information as to the power which highway authorities had over roadside wastes when they extended beyond 15 feet from the centre of the road. At present, he believed their jurisdiction was to a very much wider extent.

MR. BRISTOWE said, he was very sorry they had not had the support of the hon. and learned Member for Cambridgeshire (Mr. Rodwell), because the clause was really not a stringent one, and was calculated to be extremely useful. There was no doubt that the law as laid down by the hon. Member for Reading was not to be disputed. No one could dispute that the public had a right of use over the whole space from fence to fence. It was absurd to say that the riparian proprietors setting to work to clear away the turf would not be a serious interference with the enjoyment of the public passing and re-passing along the road. He remembered a case where a proprietor inclosed a portion of road extending for about two-thirds of a mile. Nothing was done, because to have proceeded against him would have been a very costly business. But as he understood his hon. Friend's Motion, it was only intended to supply a summary remedy, and to effect by a cheap and easy method what at present could only be done by a costly and difficult process. He did not mean to say that any very numerous cases of owners taking up a great deal of roadside space occurred; but, at the same time, cases did occur here and there, and if that were a matter which could be put down by indictment, he was at a loss to understand why a summary proceeding should not be equally applicable. It seemed to him that that was a cheap and convenient method of dealing with the evil, and that it was altogether a very reasonable proposition.

MR. SCLATER-BOOTH said, he must point out that the hon. Member's clause did not agree at all with the propositions he had laid down. It might be that the public had certain rights; but, if so, they were really limited by his clause, because it only gave them a right to 60 feet. He entirely agreed that for Highway Boards a summary remedy might usefully be substituted for proceedings by indictment. When the proper time arrived he should be most happy to enter upon that subject; but he did most earnestly deprecate the settlement, in an off-hand way, by the introduction of a clause at the end of a Bill, of the question of to what extent the rights of the public went and how they were to be enforced.

MR. SHAW LEFEVRE said, that after the promise that had made by his right hon. Friend opposite, he should not divide the House upon the clause. He had listened very carefully to the debate, and he had heard no objection made to his version of the law as it stood. As to the point that was made with reference to removal of soil, he was perfectly ready to meet that objection by leaving out the words relating to it. His noble Friend the Member for Derbyshire was perfectly right in his supposition as to the case of disturnpiked roads. There was a clause in the Turnpike Act which gave a summary remedy to the highway authorities in the case of encroachments on roads which had formerly been turnpike roads to the extent of 60 feet. His clause, however, applied to all highways. However, all that he had proposed was to substitute a summary remedy for the expensive one of proceeding by indictment; but he did not wish to raise any question as to what the rights of the public might be beyond the distance of 30 feet from the centre. He would, however, withdraw his Motion upon the assurance of his right hon. Friend that he would deal with the subject on a future occasion.

Amendment, by leave, *withdrawn.*

MR. W. BEAUMONT moved the insertion of the following Clause:—

(Cases in which existing bridges may be accepted by county authority.)

"Any bridge heretofore erected in any county without such superintendence as is provided in section five of the statute of the forty-third year of King George the Third, chapter fifty-nine, but which shall have been maintained for thirty years and upwards, shall, if the county authority see fit so to order, become and be deemed to be a bridge which the inhabitants of the county shall be liable to maintain and repair: Provided always, That the county surveyor or other person appointed in that behalf by the county authority shall certify the same to be substantial and commodious, and to be in good repair and condition."

He said, the object of the clause was to enable the county authorities to take over any bridge before erected in any county which should have been maintained for 30 years and upwards. A very curious incident had occurred some years ago in his county, where, in order to comply with the technical terms of the Act, they had had to pull down and rebuild a bridge. He understood there was no objection to the clause.

MR. SCLATER-BOOTH believed that this was a very useful clause. It did away with a restriction which acted very improperly, and which prevented county authorities from taking over bridges which they would be glad to take over if the county surveyor duly certified them.

Clause *agreed to.*

MR. W. BEAUMONT moved the insertion of the following Clause:—

(Contributions out of county rates towards erecting county bridges.)

"The county authority may make such contribution as it sees fit out of the county rates towards the cost of any bridge to be hereafter erected after the same has been certified in accordance with the provisions of section five of the statute of the forty-third year of King George the Third, chapter fifty-nine, as a proper bridge to be maintained by the inhabitants of the county; so always that such contribution shall not exceed one-half of the cost of erecting such bridge."

said, there were many poor districts where it would be impossible to raise the money for building bridges by county subscriptions, and this clause was to enable the county authorities, if they should be willing, to assist these districts in complying with the law.

Clause *agreed to.*

MR. M. SCOTT (for Mr. HARCOURT), moved, in page 10, after Clause 22, to insert the following Clause:—

(Locomotives used for agricultural purposes.)

"In case of locomotives used for agricultural or other purposes, and working within fifty yards of any highway, a man or boy with a flag shall be stationed on such highway to give notice to passers by, and, in case of need, to assist horses and carriages drawn by horses passing along the same."

MR. SCLATER-BOOTH said, he had no objection to the clause, if the words "with a flag" were omitted and 30 yards substituted for 50.

MR. PEASE thought it was hardly wise to impose such restrictions as that on the use of machinery. In many cases the regulation would be no safety at all, and he doubted very much whether the right hon. Gentleman was right in assenting to the clause.

LORD FREDERICK CAVENDISH said, it appeared to him that they might just as well say that if a railway passed within 30 yards of a wall, a man with a flag must be placed on a road to warn passers-by.

SIR ANDREW LUSK thought there was very considerable utility in a clause of that kind; because everyone knewthat in going along a country road with a pair of young horses, there was very great difficulty in passing a field where one of these machines was working. If there were a man or a boy in the road who could cause the machine to be stopped until the carriage got past, it would be a very great advantage. If there were nobody there, those in charge of the engine would know nothing about the carriage passing.

SIR JULIAN GOLDSMID considered that this was a most unreasonable proposition. He had a horse that would pass these machines without fear, but had a great objection to Taylor's furniture vans. He might just as well say that if one of these vans were loading at a villa near a road, a boy should be stationed in the road to warn him of its presence. He was afraid that if they commenced the principle of protecting the general public by Act of Parliament or by bye-law, against every imaginable risk, they would have enough to do, and therefore he should oppose the clause.

MR. RODWELL thought, that with the use of the word "locomotive" there might be very considerable difficulty in applying the clause. Everybody knew that a great variety of improvements in agricultural machinery were being introduced, and the clause in its present form would lead to great confusion and difficulty.

MR. W. BEAUMONT thought they had killed their friend with the flag altogether, and he hoped that before the President of the Local Government Board accepted the clause it would be considerably modified.

MR. BULWER said, he must point out that, in his judgment, the clause as worded did not meet the difficulty. He did not think that people passing along a road required any notice that a machine was at work in an adjoining field; but rather that the persons working the machine required notice of the approach of passengers, so that they might stop the machine and not frighten the horses going by. In the case of the hon. Member for Rochester, it was not he who needed warning, but the man in charge of Taylor's van.

MR. WHITWELL said, he did not think the hon. Member for East Sussex was quite aware of what he was proposing by his clause.

SIR WALTER B. BARTTELOT hoped that his hon. Friend would withdraw his clause. It was rather a curious thing that after the House had only the other day, by a large majority, endorsed the opinion that steam might be used on tramways, that they should now be going to hamper the use of it on agricultural machinery in fields.

MR. M. SCOTT begged to assure the hon. Member for Kendal (Mr. Whitwell) that the clause was not his; but that, in the absence of the hon. Member for Oxfordshire, he had moved it. He would ask leave to withdraw it.

MR. MUNTZ said, there could be no doubt that very sad accidents had occurred from horses suddenly coming upon engines working in a field.

MR. SCLATER-BOOTH said, it would be found, on reference to the Locomotives Act of 1865, that there was sufficient provision made for such contingency.

Clause, by leave, *withdrawn.*

MR. PAGET said, he desired to move a new clause which had not been printed. It was entitled "Highway District Rating not to apply unless ordered by the county authority." He ventured to think that the clause was entirely in harmony with the general principle of the Bill and with the general principles of the Highway Acts. The Highway Acts did not make it compulsory anywhere that there should be highway districts. The formation of those districts was optional. It existed in some parts of the country, and in others they declined to avail themselves of it. In the county of Somerset they had had the Highway District Act in force for 15 years. It had worked well, and they desired to be let alone. They did not desire to have, and in fact he believed there was a very strong feeling against, the introduction of district rating. What he wanted was that they should be left free to do as they were doing. Their roads were good, their surveyors were efficient, the system was working well; and no one, so far as he knew, desired to introduce district rating. The principle he wished to adopt was that they should be allowed to introduce district rating if they considered it desirable; but that if they wished to be left alone, they should be left alone. He thought they might ask for that as a matter of right. In their county they were amongst the first to adopt the principle of highway districts. Others who were not so quick in doing so were to be left alone. The Bill did not deal with them. It entirely left those alone who had not acted under the Highway Act; but it came to those who had and said to them, with or without their consent, the principle of district rating must be introduced. He thought there was no such reason for that as had existed under the Union system. They had now every inducement to manage their roads at a moderate rate of expenditure. The waywarden sent in every year a statement showing the probable amount that would have to be expended on the roads in labour and material, and that expenditure was watched carefully from year to year. The Bill would introduce a change in the system; but he ventured to think that it was entirely in harmony with existing highway legislation, and also with the principle of the present Bill that where a system was at work and worked well, and against which there was nothing to be said, it at any rate should be left optional to decide whether or not the county authorities should adopt the principle of district rating. It might be that the words he had drawn up did not meet the case in the best way; but he would, at all events, move the clause he had placed in the Chairman's hands.

Sir JULIAN GOLDSMID thought the hon. Member for Mid-Somerset was treating the House very hardly. He had had plenty of opportunities of putting his clause upon the Paper. They had been three days in Committee on the Bill, and they had had a fortnight wherein to prepare new clauses. He, therefore, would appeal to the hon. Member to put the clause down for the Report, so that the House might have an opportunity of examining it and seeing whether they liked it or not.

Mr. SCLATER-BOOTH hoped his hon. Friend would withdraw his Motion. It was, in fact, an Amendment which had been moved in Committee, had been thoroughly thrashed out there, and rejected. It was now brought forward as a new clause.

Mr. PAGET said, that it was a matter of considerable importance, and he would, therefore, bring the subject up again on the Report.

Clause, by leave, *withdrawn.*

Mr. SPENCER STANHOPE moved, after Clause 20, to insert the following Clause:—

(Transfer of liabilities respecting county bridges from the county authorities to borough authorities.)

"It shall be lawful for the county authority, and the local authority or highway authority of any borough, local board district, or place within which is situate any bridge or bridge approach maintainable by the inhabitants of the county or county division wherein it is situate, to enter into agreements with respect to the reconstruction, widening, alteration, or other improvement, and the future maintenance of such county bridge and its approaches; and the county authority may contribute out of the rates, in the nature of county rates leviable by them, such sum of money as they deem proper towards the expenses of the works agreed upon, or in consideration of being relieved from the future maintenance of any such bridge and the approaches thereto, and on payment of such contribution the common law liability of the inhabitants of such county or county division to rebuild, maintain, and repair such bridge and approaches shall cease, and shall thereafter attach to and be borne by the inhabitants of the borough, local board district, or place wherein the same respectively are situate, in like manner as the liability for the maintenance and repair of highways within that area or district respectively is borne. Any such agreement as hereinbefore authorized, which has been already entered into, may be renewed or confirmed by the respective parties hereto after the passing of this Act, and shall have effect as if made under this Act."

He said, that his clause was intended to meet a case where a large town had grown beyond a county bridge, and the bridge, being insufficient to accommodate the ordinary traffic of the road, now that it became part of a street, was dangerous. The borough authorities would then apply to Quarter Sessions to have the bridge made over to them; but the Quarter Sessions had no power to do so. In Yorkshire, the borough authorities had gone to the Quarter Sessions and said—"Here is a bridge of yours which is dangerous and insufficient, and which costs, for instance, £100 a-year in repairs. If you will capitalize this sum, and give us £2,500, we will take the bridge over and keep it in repair." The county authorities would be willing to accept the terms, but they had no statutory power to divest themselves of their liability; and the way it had hitherto been met was that they had had to come to Parliament for powers to enable them to do so. This had been done with respect to the bridge which crossed the Aire at Leeds; it had been done in two cases at Huddersfield, and in two at Sheffield. He thought it desirable that this should be done by giving power to the Courts of Quarter Sessions and the borough authorities to agree between each other as to the liability for the bridges. The clause which he wished to move had been drawn by the town clerk of Huddersfield and the solicitor to the West Riding Court of Quarter Sessions, and might not, perhaps, be in the most desirable form. He should be quite content to accept any other form of words, if the spirit of his clause were accepted by the Government.

MR. SCLATER-BOOTH said, he saw no objection to the principle of the clause which his hon. Friend had proposed, and which might transfer the liability for the maintenance of a bridge from one authority to another. He did not think, however, that the clause as drawn would effect the purpose in the best possible way, and he would ask that it be withdrawn, in order that it might be re-introduced at a later stage in different terms.

MR. STANSFELD thought the power proposed to be given in the clause ought to be coupled with certain restrictions which could be discussed and settled hereafter.

Clause, by leave, *withdrawn.*

MR. SPENCER STANHOPE next proposed the insertion of the following new Clause:—

(County authority to have power to purchase private toll bridges.)

"Where portions of any main roads are connected by a private bridge upon which a toll is taken the county authority may, if it think fit, purchase such bridge for a sum to be approved by the Local Government Board and every bridge so purchased shall in future become a county bridge and the cost of such purchase shall be defrayed out of the county rate."

MR. SCLATER-BOOTH objected to the clause, on the ground that it would give no security against the making of improvident bargains.

Clause, by leave, *withdrawn.*

MR. GREGORY moved the insertion of the following Clause:—

(Contribution of boroughs having separate courts of quarter sessions to maintenance of their roads.)

"A borough having a separate court of quarter sessions shall pay to the county authority of the county within which such borough shall be situate, as a contribution to the expenses of maintenance of the main roads in such county under this Act, such a sum not exceeding the amount of the county rate, or contribution to the same which might otherwise be required from such borough, as the county authority and the council of such borough shall agree upon, or, in case they shall not agree, such a sum as may be determined by an arbitrator to be nominated and appointed, and the requisition of such county authority or of the council of such borough, by the Local Government Board. And such arbitrator, in determining the amount of contribution by any such borough, shall have regard to the extent of main roads thrown upon and maintained in such borough since the year one thousand eight hundred and seventy, and to the annual expenses incurred by such borough in the repair of such main roads."

The hon. Member said, it was originally suggested that the main roads would, under the Bill, fall upon all the boroughs within the county, whether they were or were not possessed of separate Courts of Quarter Sessions, and this he thought to be a correct reading of the existing law. It appeared that this was, in point of fact, the effect of the Bill, as it was originally introduced, and an Amendment had been inserted subsequently by the right hon. Gentleman who had charge of the Bill, to put boroughs having separate Courts of Quarter Sessions on a different footing. At his (Mr. Gregory's) instance, some words had been introduced into this Amendment, in order to show that the question was still unsettled; and he had therefore, moved his clause in order that some equitable mode of settling the contribution might be arrived at. No better mode of arriving at this conclusion, as it seemed to him, could be arranged than by the appointment of an arbitrator nominated by the Local Government Board in default of agreement between the county and borough authorities. If hon. Gentlemen representing Quarter Sessions boroughs had a more equitable solution of the difficulty to suggest than that which was contained in his clause, he should be glad to accept it.

Mr. SCLATER-BOOTH said, he was sorry he could not accept the clause, although he admitted that it contained ingeniously constructed elements of what might be a plan to settle a very difficult question. The main difficulty was that municipal boroughs were subject to county rates, while Quarter Sessions boroughs were not. He had foreseen this, and it was therefore provided that the boroughs should have an abatement on account of the main roads which they had themselves to maintain. The question was a difficult and complicated, but, at the same time, an important one; and he should be quite willing to consider whether it would not be possible to frame a clause which would adapt the proposal of his hon. Friend to municipal boroughs generally. As the proposal of his hon. Friend now stood, it would settle nothing, and would introduce an element of contention into what was already a difficult question.

Mr. ARTHUR PEEL said, he was in hopes that this particular question had been settled at an earlier stage of the Bill, and he regretted that it had been raised again. His own view was that arterial roads in counties should be maintained by the counties, that the district roads should be under the control of highway districts, and that the boroughs should maintain their own roads, which their proposal would create The difficulty was one of considerable magnitude. For instance, in the borough which he represented, the authorities had recently had placed upon them the responsibility attaching to the maintenance of five miles of "disturnpiked" roads, in addition to many more for which, in previous years, they had become chargeable. The question which had been raised by his hon. Friend was one of such complication that a local arbitrator could settle it; while, if the project should be carried into effect, it would operate with extreme injustice upon many boroughs which would, under the operation of an unequal bargain, give much and yet but little in return.

Mr. FRESHFIELD said, he objected to the clause on two grounds—first, that it laid down the principle that boroughs should contribute to the maintenance of county roads; and second, that if they were so to contribute, the tribunal which was to settle the contribution was not a satisfactory one.

Mr. CHAMBERLAIN had heard with gladness the statement of the right hon. Gentleman the President of the Local Government Board that he could not accept the clause which had been proposed, and with sorrow his subsequent expression of opinion that it contained elements of a future satisfactory settlement. The proposed clause was one-sided as far as Quarter Sessions boroughs were concerned, because it limited the extent to which counties should contribute to the boroughs, and also limited the claims of the boroughs to roads which had been disturnpiked since the year 1870. Most of the larger boroughs disturnpiked their roads long before 1870; and, if the clause of the hon. and learned Member were agreed to, would be mulcted in consequence of, and in proportion to, their liberality. Furthermore, he asked the Committee to consider the enormous expense which would be involved by the tribunal the hon. Gentleman proposed to create. He had had some experience of arbitrations, and knew of no more expensive luxury. Only recently he had been engaged in one which was calculated to have cost not less than four guineas per minute, owing to the heavy fees paid to counsel and professional witnesses, and the cost attendant upon the adjournments from time to time and place to place to suit the same counsel and witnesses. He thought, on the whole, it would be better to leave Quarter Sessions boroughs in their present position, with the prescriptive immunity which they had so long enjoyed; for he did not think that if the question was gone into the counties would gain. In the borough which he represented the county would have, in the event of the clause being adopted, to contribute about two-thirds of the cost of certain main roads; and the borough, on the other hand, would have to pay a comparatively small sum in aid of the county roads. As far as his borough was concerned, therefore, it did not want to be mixed up with the management of the county affairs for the sake of a small pecuniary advantage.

MR. BULWER said, that the borough of Ipswich, which he represented, comprised some 8,500 acres within a circumference of about 19 miles, and within that area were 75 miles of streets or roads, and of these about 30 miles were county roads, for the repair of which the borough was exclusively responsible, though the county traffic upon them was very considerable both to the town and to the railway station. What this clause proposed was that, in addition to the exclusive maintenance of these 30 miles, the borough should also contribute to the maintenance of county roads outside the borough; while the county was not to contribute one farthing to the maintenance of the roads within the borough. For this he could see no reason. If boroughs maintained their own roads at their own cost, why should they be called upon to pay a part of the cost of the county roads, and get nothing in return from the county rates?

MR. LEEMAN said, the city of York, which he represented, happened to be in the midst of three distinct county jurisdictions; and he took it that it would require a very skilful arbitrator to fix the proportion which each of these jurisdictions would have to pay towards the maintenance of the roads within the city, if the clause proposed by the hon. Gentleman was agreed to by the Committee and incorporated with the other clauses in the Bill. They were perfectly content with things as they stood, and objected, in common with the whole of the Quarter Sessions, cities, and boroughs in the Kingdom, against the principle proposed to be introduced into the Bill.

MR. GREGORY said, he had proposed the clause, believing that it was based upon equitable principles. He regretted that it had not found more favour with the Committee; and he could only hope that the subject would soon be dealt with in some other manner which would prove satisfactory alike to the House and to the country. With the permission of the Committee, he would withdraw the new clause which he had ventured to propose.

Clause, by leave, *withdrawn.*

MR. HIBBERT moved the following Clause:—

(Road rate on hundred or county.)

"In the case of any county in which certain of the bridges within the county are repairable by the county at large, and others are repairable by the several hundreds within the county in which they are situate, it shall be lawful for the county authority from time to time to declare any road or part of a road to be a main road, repairable by the county at large, or repairable by the hundred in which such road or part is situate, as they think fit; and where a road or part thereof is declared to be a main road, repairable by a hundred, the expense of repairing the same shall, to the extent to which but for this section the expense or any contribution towards the expense of repairing the same would be payable out of the county rate, be payable out of a separate rate which shall be raised and charged in the like manner, and be expended by the like persons as the expenses of repairing the hundred bridges in the same hundred would have been raised, charged, and expended."

This clause was intended to meet the case of Lancashire. The adoption of the system which it proposed had been recommended by the magistrates of that county, and he hoped that his right hon. Friend the President of the Local Government Board would be prepared to accept the clause.

MR. SCLATER-BOOTH said, he regarded the clause as fair and reasonable, and he would, therefore, accept it.

SIR HARCOURT JOHNSTONE thought that the same option should be given in Yorkshire as would be given in Lancashire. He did not see why the latter county should enjoy an exceptional privilege of this description.

Clause read a second time, and *ordered* to stand part of the Bill.

Preamble *agreed to.*

MR. WHITWELL asked the President of the Local Government Board whether the Bill would be re-printed, with Amendments?

MR. SCLATER-BOOTH said, he would undertake to have the measure re-printed.

Bill *reported;* as amended, to be considered upon *Monday* next, and to be *printed.* [Bill 261.]

ADMIRALTY AND WAR OFFICE (RETIREMENT OF OFFICERS) BILL.

(*Sir Henry Selwin-Ibbetson, Colonel Stanley, Mr. William Henry Smith.*)

[BILL 169.] COMMITTEE.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."—(*Sir Henry Selwin-Ibbetson.*)

Mr. PARNELL, in rising to move that the House resolve itself into a Committee on the Bill on this day three months, said, he had hoped that some explanation would have been given by the Government of the reasons which induced them to adhere to certain leading features of the Bill which to him seemed of a very objectionable character. The Bill purported to be a scheme of retirement of clerks, and of reorganization in the War Office by means of those retirements. He did not deny for a moment that there was need for re-organization in the War Office; but, in proceeding to satisfy the need of the Office in this direction, the Government would have done better if they had been more mindful of the rights of the lower division of clerks, whom they now proposed should retire compulsorily under the provisions of this Bill. The Government might say that those clerks had retired voluntarily; but in reality the retirements had been of a compulsory character, because these clerks who had retired voluntarily knew beforehand that their services would be dispensed with when this Bill was passed, and that they would not be permitted to remain on the Establishment. He did not wish to refer to the cases of the clerks who were to receive two-thirds of their salaries as retiring allowances, and who were to obtain gratuities according to the provisions of the Bill; but he desired to refer to that class of clerks who were only to receive as retiring allowances half of their salaries. That class of clerks felt themselves very grievously injured by this Bill. The Government were proceeding on the vicious principle of allowing those of their officers who were paid an inferior salary a proportionately inferior allowance. The House would admit this was a vicious principle, for it was establishing a sort of aristocracy of clerks. It was beyond question that at the War Office there was a great amount of discontent and a keen sense of injustice, on account of the reason he explained. There was a further source of discontent, and one of a very important character. At the time of the Crimean War a number of clerks of the first class were appointed temporarily; but since then they had been placed on the Establishment, and were now "supplementary" clerks. The Government did not propose to allow a single farthing of retiring allowance to these supplementary clerks, although they had been in the Service since the Crimean War, and did exactly the same work as the other clerks. The Government simply proposed to dispense with their services with very little notice. He doubted whether the Government could have known of the existence of this body when they drew up the Bill. He did not see what object the Government could have in turning out this class of public servants in this manner. It was well calculated to cause discontent in the Public Offices. The Government wanted to show a saving of a few thousands a-year. If they had dealt fairly and generously, as might have been expected, with this class of clerks, they could not have effected this saving. The Government had dealt very unfairly with a class of men the less able to bear it. They were in every case men who had received a liberal education, and if they had not gone into the War Office, they would have become barristers or medical men. Relying on the fairness of the Government, they entered into a contract with the Government, under the impression that they were to remain in the Service until superannuated. He knew it was quite impossible, for such of them as had young families who were arriving at a certain age at which the most expenditure was required, to send their sons to good schools, in order that they might receive the same liberal education as their fathers. He did not wish to oppose re-organization, which was certainly required. By reference to the Army Estimates, it appeared that the business to which this re-organization scheme applied was in perfect chaos. There were no less than 11 different classes of clerks. But he wished re-organization to be unaccompanied with injustice to men who had spent the best years of their lives in the service of the Government upon very small pay. The hon. Member concluded by moving his Amendment.

Amendment proposed, to leave out from the word "That," to the end of the Question, in order to add the words "this House will, upon this day three months, resolve itself into the said Committee,"—(*Mr. Parnell,*)—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

COLONEL STANLEY greatly sympathized with much that had fallen from the hon. Gentleman the Member for Meath; but this was not a question of personal feeling alone. These matters were to be decided with regard to efficiency and the duties which were to be carried on in the Public Service, and also with a due regard to economy. Speaking in a personal sense, he was bound to say it was with considerable pain and reluctance that the Government had had to propose a measure of this sort to the House; but, as the hon. Gentleman himself had perceived, the constitution of the Office, over which he (Colonel Stanley) at that moment had the honour to preside, was in such a state as to render it indispensable that it should be re-organized on a different footing, and accordingly his right hon. Friend who preceded him had instituted a Committee of Inquiry on the subject. That Committee sat rather more than a year ago. It sat for months, and made a most elaborate Report upon the system which it recommended for the future. His right hon. Friend found the position of a portion of the clerks in the Service a most painful one. There was a large establishment of gentlemen, many of them well educated, who were doing work which might very well have been discharged by less educated, and, therefore, by a lower class of persons. There was stagnation of promotion from which there could be no recovery for many years. Therefore, the prospects which had been held out to those gentlemen on their entrance into the Public Service had not been entirely realized, and his right hon. Friend did not think those prospects were at all likely to improve. His right hon. Friend, therefore, was of opinion that he should adopt somewhat more stringent measures than would otherwise have been the case, and re-organize the Office. That would necessitate, as was usual in such cases, a certain amount of hardship to individuals. But the Committee reported what number of gentlemen they thought it was necessary to retain in the Public Service and those who should not be so retained. He was bound to say that the various grades had been very carefully considered. It was possible that here and there a case of apparent and sometimes of real hardship occurred in connection with this re-organization; still he believed that in the majority of instances the prospect of each gentleman had been very fairly met. He did not find himself in a position to propose any alteration of the arrangement which his right hon. Friend had made. Whether, at some future time, it would be necessary to carry this re-organization further, was not a matter which he at the present moment could discuss. He was bound to tell the House that as far as the Government had been able to lay the scheme before the House, it was practical and efficient for the accomplishment of the object in view. He believed it had been carefully considered by those who were most competent to deal with it, and that for the future the clerks would obtain a fair amount of promotion. He should grieve if, from any delay caused by the House, these gentlemen should be retired without deriving the advantage this Bill would confer upon them. He hoped the House would take this stage of the Bill at once.

CAPTAIN PIM said, he had no wish to take up the time of the House, by going into details to show the urgent need of re-organization at the Admiralty. The Bill dealt with the subject on what he submitted was a wrong principle, and it should not be proceeded with until the House had full details. He would confine himself to the Return which had been laid on the Table, and would point out, so far as he had been able to understand its meagre details, that the figures gave a different result to that set down. By the Return, it seemed that 78 Class I. clerks were to be retired, making an alleged saving of £29,929. But he found that the average of the retiring pensions, arrived at by dividing 67 into

£22,537, being the sum of £24,287, less £1,750, or 3½ per cent on £50,000 gratuities set down in the Return, would be £336; or, for 78 clerks, £26,208, to which must be added 3½ per cent on £49,450, or £1,750, as well as the cost of 50 Class II. clerks at their lowest, say, £80—namely, £4,000, making altogether £31,958, or an immediate loss of £2,029, steadily increasing year by year as the salary of these clerks increased, instead of an immediate gain, as alleged by the Return, of £2,478, and an actuarial ultimate gain of £10,000. There was another point against the correctness of the Return; it was this—there were now on the establishment 186 Class II. clerks, or lower division, costing £20,602, or an average of £110 each per annum; but he found that the additional 50 about to be engaged to fill the places of the 78 Class I. clerks to be retired, were set down to cost only £3,164, or an average of only £63 each per annum. He must confess that he could not understand a Class II. clerk, whose lowest salary was £80 a-year, engaging to serve for £63. That difference alone would make an error in the calculations of about £1,000. He had no wish to weary the House with figures; but he thought he had shown clearly that there was good ground for the Government to look more closely into their re-organization scheme before going into Committee on the Bill.

Sir JOSEPH M'KENNA was of opinion that if this scheme was laid before the House in its entirety, the House would come to the conclusion that no saving would be effected. It began by pensioning-off a number of clerks, and giving gratuities to a number of men who were at present employed. He admitted the necessity for some re-organization in the War Office; but he considered that something might be done to employ those men it was now intended to dismiss from that Department. It was a reproach upon the Admiralty and War Office that such a state of things should be permitted, as it was admitted on all hands now existed. There were so many grades of clerks in the War Office—according to the statement of his hon. Friend the Member for Meath, as many as 10 or 12—that it was scarcely possible to ascertain what was the beginning or end of the official system. A skeleton Schedule should accompany this Bill, so that they might know exactly what the Government intended to do. The right hon. and gallant Gentleman the Secretary of State for War had said he approached this subject with considerable pain. He (Sir Joseph M'Kenna) thought it uneasonable and unjust that the Government should be called upon to pass a Bill in the interest of economy which was really against humanity. Great hardship might be inflicted on individuals, but in the end the economy would be found a false one. The Bill was termed a Bill to facilitate Improvements in the Organization of the Admiralty and War Office by the retirement of Clerks from the Departments attached thereto; but he thought it ought to be called a Bill to enable the Commissioners of the Admiralty or the Secretary of State for War to dismiss as many of the Civil servants of the Admiralty or War Office as they might think fit, and to supply their places either by the promotion of such Civil servants as they thought proper, or by the employment of clerks of a lower division. Now, he thought it unfortunate that there should be a lower division of clerks at all. They were taken from the same rank in society, were, for the most part, as well educated as their more fortunate brethren, only differing from them in this, that their fathers had, perhaps, not been able to pay for having them better coached before obtaining their appointments. He differed entirely from the conclusions arrived at by Mr. Knox given in his evidence before the Committee two or three years ago, and upon which this Bill appeared to have been formed, as to the advisability of having two sets of clerks—one for drudgery, and the other for intellectual labour. He (Sir Joseph M'Kenna) contended that it was a false step and false economy to establish a service of drudges. A clerk entering the upper division knew he had the opportunity of raising himself and living like a gentleman; but one in the lower division, although, perhaps, socially his equal, knew that, do what he would, he could never rise above a certain dead level. He argued that power should be given to promote clerks from the lower to the higher division, and then everyone would take an interest in this work, and the Department would be more efficient. He regretted to say it but he believed this measure was essentially of a retrograde character, and one that should not be encouraged in these days. He did not intend to act in opposition to the Bill getting into Committee, when the various Amendments on the Paper would be discussed; but he thought the Government would do well to consider the whole measure before bringing this Bill into operation, which would have the effect of pressing hard upon some of the public servants.

MR. CHILDERS said, he was not an advocate of the present arrangement for an upper and lower division of clerks. At the same time, he did not think that the whole clerical staff should consist of those who were called "gentlemen." When, some years ago, it fell to him to re-organize—and a very troublesome and painful process it was—the expenditure of the Clerical Establishments of the Admiralty, he found—and he did not think he was at all exaggerating the case when he said so—that there were twice as many officers as were wanted. The result was, that during his two years of office some 117 out of between 300 and 400 clerks and superior officers had been reduced; and, since 1868, not one single new clerk had been appointed—that was to say, all the vacancies which had since taken place, either by reason of retirement or death, had not been filled up by fresh appointments, the superfluous numbers being so great. Now the First Lord came down and proposed in this Bill to carry the reduction still farther—by retiring 67 officers, making altogether just about the reduction which might have been carried out, had he (Mr. Childers) had the advantage of such a Bill as the present. During his time they had succeeded in meeting every case of hardship, though he had not been able to go as far as he wished; but the result, he might be allowed to state, had been an immense increase in the efficiency of the Admiralty. With respect to the War Office, it would be necessary to carry out still further reforms. He therefore supported the Bill which merely carried further what he had been so much attacked for doing partially; and he thought that what a former Government had done was more than justified by what it had been considered desirable to do since. He would suggest to the hon. Member for Meath (Mr. Parnell) that it was not desirable to throw out this Bill, which was really a boon to the officers who would be retired under it, but to allow the House to go into Committee on the Bill, and, when there, to propose Amendments to carry out the two objects he had particularly in view.

GENERAL SIR GEORGE BALFOUR said, no one who knew the War Office could fail to appreciate the importance of this Bill. Nothing could be more painful than to see the stagnant state of the promotion for the clerks in that Office. For nearly 20 years no new clerk had been introduced in the Office, the evils engendered were the result of mistakes of more than 20 years ago. The cry then was for educated clerks to be employed; and men of University education, many having taken honours, were put into the Office to perform duties which a far less trained class were fully equal to. The amalgamation of several departments under one head—that of the Secretary of State for War—and the large increase in clerks, consequent on the war with Russia, had, with other blunders, entailed on the War Office many difficulties; but this Bill would effect a change which was exceedingly desirable, and he hoped care would be taken that the most capable were retained, and that fair treatment to those dispensed with would be practised. He suggested the employment of soldiers and sailors in the two Offices, and he could say from his own knowledge that the Government would never regret having employed them. He was in hopes that the right hon. Gentleman (Mr. Childers) the Chairman of the Committee on the Employment of Soldiers, would support the suggestion to increase the number of soldiers in the War Office then employed in clerical work.

MR. MUNDELLA said, he did not rise to oppose the progress of the measure, but to say that there was a general impression that these re-organization schemes meant that men who were competent and without patrons would be sent adrift, while inferior Civil servants who had patrons would be retained. He did not attribute this to any Government in particular; he gave the impression which prevailed. Only a strong British Government could stand such a state of things as had been described. The Government ought to say what they were going to do. What was their scheme? Could they say who they were going to retain? Did they mean to touch the clothing department of the Army, where abuses were known to exist, and where men with small salaries retired with large fortunes? If ever there was a department which wanted reforming, that was the department; for it had long been a nest of imposition, peculation, and oppression. The changes effected in the Admiralty had worked admirably; but just the reverse was the case in the War Office, where there was want of management, and corruption. He was speaking of what was known to Members of the Ministerial Front Bench. There was undoubtedly a necessity for this Bill, but he wished to know whether the purchasing departments of the Army and Navy were to be re-organized?

MR. PARNELL said, that with the permission of the House he would withdraw his Amendment.

Amendment, by leave, *withdrawn.*

Main Question, "That Mr. Speaker do now leave the Chair," put, and *agreed to.*

Bill *considered* in Committee.

(In the Committee.)

Award of Gratuities.

Clause 1 (Power to pay gratuities to retiring clerks in the Admiralty and War Office).

CAPTAIN PIM said, he wished to ask the First Lord of the Admiralty, if he would give an explanation of the point to which he (Captain Pim) had called attention before going into Committee? Instead of there being an immediate saving of £2,478 under this Bill, it appeared to him that there would be an immediate loss of £2,029; and that that loss would increase year by year. Unless some explanation was given, he (Captain Pim) would feel it his duty to move to report Progress.

SIR MASSEY LOPES said, he believed it to be a perfectly correct calculation that the saving would be something like £2,500. That was independently of pensions; and when they fell in, there would be a further saving of £10,000. He might say that saving had not been the principal object in view; but that the principal object aimed at had been efficiency. There was no excessive saving, or undue reduction; and, in fact, there was not a single class of officers at the Admiralty, whether higher officers or juniors, whose position would not be improved by the Bill. The responsibility of the officers would be increased; but their pay and prospects would be increased *pro ratâ.*

CAPTAIN PIM said, he was not finding fault with the Return, beyond pointing out that the figures were actually wrong. There was no question about their being wrong; he had gone into the matter very carefully. Another point to which he wished to call attention was that the in-coming clerks were coming in on an average of £63 a-year, and he was not aware that at the Admiralty there were any clerks under £80. As he had not had an explanation of the discrepancy between the Return and the statement which had been made, he would move that the Chairman report Progress.

Motion made, and Question proposed, "That the Chairman do report Progress, and ask leave to sit again."—(*Captain Pim.*)

MR. SHAW LEFEVRE said, he had looked very carefully at the calculations, and he could not agree with the hon. and gallant Member who had just sat down, as to the conclusions to be drawn from them. It seemed to him that the cost of the present establishment was £146,000 a-year, and the cost of the proposed establishment, with pensions, would be £144,000 a-year.

CAPTAIN PIM said, that 78 clerks of the higher division were to be retired, saving £29,929; but the average of the retiring pensions would be £336, or for 78 clerks £26,280; to this must be added 3 per cent interest on £50,000, and the cost of 50 clerks of the second class at the lowest amount—he would say £80. This made £31,958, or, in round numbers, £32,000. If the right hon. Gentleman would look at those figures, he would see that there was a loss of £2,029, and that that loss would steadily increase, as the salaries of the clerks increased. The alleged gain was £2,478, with an ultimate gain of £10,000. He did not know whether the hon. Gentleman opposite had been able to follow those figures; he would give them to him if he liked.

Mr. A. F. EGERTON asked what Return the hon. and gallant Member was quoting from?

Captain PIM said, he was quoting from Return No. 231, printed by order of the House, dated June 14, 1878 (Admiralty Re-organization).

Mr. W. H. SMITH said, he really was not able to follow the figures of the hon. and gallant Member. The Paper in question had been most carefully calculated from precise data, and the Government had the facts, while the hon. and gallant Member was proceeding on assumption. Under the contemplated reform there would be a charge altogether for the higher division of £96,344 for the year 1878-9, and for the lower division of £23,766; a total of £120,110. The pensions would amount to £24,287. The immediate saving, therefore, was £2,478. That was a statement of facts which had been ascertained, and certainly it might be taken as much more reliable than the statement of the hon. and gallant Member, who was really not acquainted with the extent of the intended reform and the salaries to be paid. As much reliance might be placed on these figures as on an actuarial calculation. The statement was made on the responsibility of officers who were well tried, and on whose good faith the utmost reliance might be placed.

Captain PIM said, he had the figures in the Return, and from them made his calculations. He was as capable of adding up and subtracting these figures as any actuary, and he was certain he was right. He did not care if 50 actuaries said the contrary.

Mr. C. BECKETT-DENISON said, the hon. and gallant Gentleman had himself shown how the difference occurred; for he had made his calculation on the basis of salaries of £80, while the Government calculation was made on the basis of £63.

Captain PIM said, this question of £63 was a second point, showing how doubly wrong the Government statement was, for he took it for granted that his right hon. Friend would not tell the Committee that there were any clerks at the Admiralty on a salary of £63 per annum.

Mr. BIGGAR said, he had heard the explanation offered by the right hon. Gentleman, and he did not clearly understand it. He had not had the opportunity of seeing the case of the hon. and gallant Gentleman; but it seemed to him that there were going to be 50 new clerks at the Admiralty, and he did not know how they were going to be paid. A number of gentlemen in the War Office, and at the Admiralty, were to be put to inconvenience and loss, without, so far as he understood, any corresponding advantage arising from the change. Unless some explanation was given why this alteration was to take place, and what the scheme of retirement and pensions was, he did not see why the Committee need go on any further in the discussion.

Mr. O'SHAUGHNESSY said, he had not heard any explanation by the First Lord of the Admiralty; he had merely heard an assertion by the First Lord that his paper was based on most irrefragable and inviolable statistics, and that a certain statement which had been made on the other side was an assumption. It was perfectly possible, in a statement which would not occupy more than seven or eight minutes, to set the figures before the House in such a way that hon. Members could understand them, and then the discrepancy might disappear. He thought there had been an inconsistency in dealing with the objections of the hon. and gallant Member. In the first place they were told that his statements and inferences were unintelligible; and, in the second place, they were told that these had been fully explained, and shown to be erroneous. This showed in what an unsatisfactory position the matter was, and he thought the House was entitled to have a more complete explanation.

Mr. W. H. SMITH said, he thought the hon. Gentleman, if he would carefully look at Paper 231, would see the explanation he asked for. The existing establishment of the higher division of clerks was 279, costing £126,273; the new establishment was 201, and would cost £96,344. The existing establishment of the lower division of clerks was 186, some of whom would disappear under the present arrangement, and the new establishment was 236, costing £23,766. Putting the higher and lower divisions together, the cost would be £120,110, as against £146,875; the saving in salaries, therefore, was £26,765. The pensions were £24,287, making a total of £144,397, or an immediate saving of £2,478.

Motion *negatived.*

Clause *agreed to.*

Clause 2 (Limitation of amount of gratuity).

CAPTAIN PIM, in moving, in page 2, line 13, to leave out from "in" to "section," said, that perhaps the best explanation he could give was to read to the Committee a Petition which had been sent to the Admiralty by the senior clerks, in which they set forth their own case. He did not suppose the right hon. Gentleman would have any objection to his taking this course. The Petition was as follows :—

"To the Right Honourable the First Lord of the Admiralty.—The memorial of chief and senior clerks——"

MR. W. H. SMITH rose to Order. He said he must ask the Chairman, whether it was in Order for an hon. Member to read a document of that kind, which was, or ought to be, considered confidential. It would be subversive of good order and good government if Papers of such a nature from the Department were placed in the hands of an hon. Member and made public.

THE CHAIRMAN said, he was not aware of any Rule of the House by which an hon. Member was precluded from bringing such a matter forward. At the same time, he would point out to the hon. and gallant Member that the course which he proposed to take was one of grave responsibility, and he believed it was one of an exceedingly unusual character.

CAPTAIN PIM replied that he did not see the slightest impropriety in reading the Memorial which had been sent to him by post, and was signed by 70 of the senior clerks in the Admiralty Department. The object which he had in moving his Amendment was that the time qualification of these clerks of very many years' standing should be calculated from the commencement of their service. It was a very hard case that some of these gentlemen, notwithstanding their long services, but because, as juniors, they had lower pay than the present scale, should, under the present scheme, have a poor retiring compensation of not exceeding £600 or £700, while others of less service but more pay had £1,000. He was sure his right hon. Friend (Mr. W. H. Smith) desired to do justice to those gentlemen, and he (Captain Pim) wished that he might have placed their case clearly before the Committee by reading the Memorial rather than by explaining its object. The omission of the words, as proposed by him, would afford those gentlemen the opportunity of receiving their proper gratuities on retirement. He was as anxious as anyone that the clerks in the Civil Service should retire with contentment, and his object was, therefore, to remove any cause for discontent. He hoped the right hon. Gentleman would assent to his Amendment.

MR. W. H. SMITH said, he was sorry that he could not accept the Amendment of the hon. and gallant Member. The Government already possessed powers to enforce retirement from the Public Service; but as the administration of the two Departments proposed to be dealt with under the Bill was of a special character, the House was asked to pass a piece of special legislation. The Bill imposed on Government a responsibility which was absolutely indispensable to the efficiency of the Public Service. They did not think it necessary to go beyond the powers asked for by the Bill, and to do so under pressure from individual clerks, or departments, would be to set up a principle exceedingly injurious to the Public Service. He trusted that the Committee would accept the provisions and limitations of the Bill on the responsibility of the Government, whose desire was to have a contented and thoroughly efficient Service. He thought the proposed terms of retirement were liberal to those concerned, as well as necessary to the interest of the Public Service, and calculated to accomplish the end which was desired.

MR. CHILDERS did not think the mere fact of a Memorial being signed by certain clerks, and not even explained by the hon. Gentleman who had a copy of it, sufficient ground for making any change in the Bill. The hon. and gallant Member had not told the Committee what would be the effect of the Amendment, neither had he shown in what way the clerks in whose behalf it was proposed would be affected. He, therefore, asked the hon. and gallant Gentleman, why it was necessary to make the proposed change?

CAPTAIN PIM said, the effect of the Amendment would be an outlay of something like £3,000, which would give contentment to those senior clerks in the Admiralty Department whose length of service averaged 25 years; but who otherwise would get a smaller gratuity than those with less service.

MR. CHILDERS replied, that merely giving 70 gentlemen £3,000 a-year among them was hardly a reason for altering the provisions of the Bill, although it might be a very pleasant one. In order to justify the alteration, it should be shown that the sum named by Government was unfair and inadequate to the end in view. The hon. and gallant Gentleman should show that, and the Committee would then consider his proposals.

MR. O'SHAUGHNESSY said, that no reason had been given for the Amendment, nor had the grievance of the clerks been explained to the Committee. With regard to the suggestion of the First Lord of the Admiralty, he thought it was very desirable that something like an understanding should be arrived at; for the right hon. Gentleman not only said that the Committee were not to discuss Memorials which had been addressed to the Heads of Public Departments, but actually limited the right of Members of the House to discuss the amount of compensation to which public servants were to be entitled on compulsory retirement. One reason why, in his opinion, the subject should be fully discussed was that although the Bill only dealt with the Departments of the Admiralty and War Office, it was generally felt that its principle would be made applicable to every branch of the Public Service. It would be a very serious thing if such a principle were to be applied without discussion, and hon. Members were to have no voice in the settlement of the question.

SIR GEORGE CAMPBELL said, the responsibility of granting to clerks retiring from the Public Service gratuities over and above what they would have been entitled to under existing regulations rested entirely with the Government, who were, therefore, the best judges of the amounts to be awarded. It was not for the clerks themselves to go to Members of Parliament and call upon them to advocate their claim for larger gratuities. He thought the Committee should be limited by the Government proposal as a maximum. They might cut it down if too much; but it was not competent to a private Member to add to the expenditure in a case of the kind now before the House.

MR. E. JENKINS objected to the laying down of doctrines which certainly ought to be protested against by the Committee. His hon. and gallant Friend had proposed to read a Memorial from certain clerks, and when he proposed to put their case in decisive words, they were told that such a course was improper. He (Mr. E. Jenkins) failed to see any impropriety in so doing. He presumed that the gentlemen concerned had stated their case in a temperate manner, and if any injustice had been done them, he concluded that they had shown wherein that injustice rested. If that were so, it seemed to him very proper that their case should be brought under the notice of the Committee, who would not be relieved by the discussion as to whether it was right or not that they should listen to the reading of a Memorial. He thought that the Memorial should be read, so that the Committee might be made aware of the effects of the Amendment of the hon. and gallant Member for Gravesend (Captain Pim); and he protested against the doctrine of the First Lord of the Admiralty, that the Government should exercise its discretion and decide the principle on which that proposal should be made.

SIR HENRY SELWIN-IBBETSON had not understood his right hon. Friend in any way to restrict the Committee in its power of discussing the point raised by the Amendment. Under the existing law retirement was compulsory, and the terms were limited to a lower scale than was fixed by the Bill; but in consequence of its being considered necessary in the interest of the Public Service that a certain number of clerks should retire in order to facilitate the work of the Admiralty and War Offices, the First Lord and the War Minister had decided that special terms should be granted in place of those applicable to ordinary retirement. These special terms were embodied in the 2nd clause of the present Bill, which was then under discussion; they were exceptionally favourable, and in that respect constituted a distinct boon to the parties concerned, who, if the Bill were not passed, would be liable to compulsory retirement, which the law as it then stood in the Superannuation Acts rendered possible, upon the terms laid down in those Acts.

Mr. CAMPBELL - BANNERMAN thought that the Committee required a little more information than it possessed, both with regard to the clause itself and the Amendment of the hon. and gallant Member which proposed to leave out from the clause certain words relating to the qualification of clerks as defined by the section. The House required to know the object of the qualifying clause, which appeared to him to be the exclusion of a certain body or category of clerks from the operation of the Bill. He thought, also, that the application of this part of the Bill was not to be confined to the Admiralty; but would affect that particular body of clerks in the War Office called "supplementary," to which the hon. Member for Meath (Mr. Parnell) had referred. It was possible that there was a similar class of clerks at the Admiralty, and he believed that the object of the Amendment was to exclude them from the operation of the Bill. The clause raised the point whether a certain body of clerks should be excepted, and he thought it would assist the Committee in coming to a conclusion if the Government or the hon. and gallant Member opposite would tell them what class of clerks was to be excepted and the reasons for their exception.

Mr. MUNDELLA, referring to the Memorial in the hands of the hon. and gallant Member for Gravesend, said, it had struck him that in his recollection a similar document had been presented to the House; it had also occurred to him that the House had a right to be made acquainted with all the circumstances in the case of servants of the Crown desiring to make an appeal. He found, upon inquiry, that he was correct in his opinion, and would read from *Hansard*, Session 1873, a short extract, relating to the Post Office *employés*, in which the First Lord of the Admiralty himself said—

> "He wished now to bring under the notice of the right hon. Gentleman Memorials, recently sent to the Postmaster General from the officers of the minor Post Office Establishments in London. These Memorials were adopted at meetings held with the cognizance of the Postmaster General, who, in his Report, which was just circulated, said the men generally had acted in a very proper and praiseworthy manner."—[3 *Hansard*, ccxvii. 1112.]

The right hon. Gentleman was not censured by either side of the House; he read the Memorial and commented upon the value of the men's services; in fact, there was *Hansard* to show that he did in 1873 the very thing which he now condemned so severely.

Dr. KENEALY said, he could not conceal his astonishment and indignation at what had been suggested by the First Lord. That House was the great tribunal of the nation, established for the purpose of hearing wrongs and appeals from wrongs; and whose authority to hear Memorials of this kind had never been questioned till then. He joined in the protest which had been made. He reprobated fully this attempt to stifle discussion. The language of the Memorial which the hon. and gallant Gentleman the Member for Gravesend (Captain Pim), was about to read, when he was stopped, was either true or false. If it was true, they ought to hear it; if it was false, let the First Lord prove that it was, and not endeavour to exclude it from consideration. He did not like what he had sought to do. The hon. and gallant Member for Gravesend read a summary of accounts which showed that the country would lose several thousand pounds a-year by this transaction. The First Lord was challenged twice to answer that summary. He had endeavoured to do it, but in a way that no Member who heard him could understand, and in a manner that conveyed to his mind that the right hon. Gentleman did not understand the accounts himself. That was not a very dignified part to play; it was not satisfactory to hon. Members, who were there to do their duty. The hon. Member for Sheffield (Mr. Mundella) stated that the most scandalous corruption prevailed. He had also proved by precedent that the First Lord was wholly without excuse, for the attempt which he made to shut out the document which the hon. and gallant Member for Gravesend was about to read. He advised that hon. and gallant Gentleman to read it in full to the House, so that hon. Members might clearly understand what the clerks of the Admiralty sought, and what they complained of.

General Sir GEORGE BALFOUR protested against any injustice being done to public servants without an appeal being allowed to the House. It was no new thing to have the claims of public servants brought before the House. Had there not been Petitions from officers of the Army, and had not the House been deluged with claims from the officers of the Indian Army? Why, then, were they to be silent as to the wrongs of subordinates in the Admiralty and War Offices? He was sure the First Lord would not sanction such inconsistency; and from what he knew of the character of the Secretary of State for War, he might rely on his desire to deal fairly with those under his authority. If these clerks in the two Offices had complaints, why should they not be investigated by a Commission of Inquiry? The Memorial of the Officers of the Army had been taken into consideration, and two Commissions of Inquiry composed of men in high office had been held on them, and the country had been put to a vast expense in not only meeting the claims; but in investigating these claims which the Memorialists substantiated. If the hon. and gallant Member for Gravesend would afford some explanation, he (General Sir George Balfour) would support his Amendment.

Mr. BARING said, it had been argued by the hon. and gallant Gentleman (General Sir George Balfour) that "when there was a wrong, there must have been a right." It was not admitted that these gentlemen had any right, and in their case there could be no claim to any such thing as a gratuity. There might, however, be a sort of moral claim in cases where gratuities had become customary. As far as he understood the case, these gratuities were to be given in order to relieve the Public Service of persons whom it was considered desirable for the public benefit to remove; and it was, therefore, absurd to say that persons receiving a higher salary whom it was not proposed to remove should have a claim to gratuities, to which nobody had any right but those who intended to retire.

Mr. BIGGAR remarked, that if he had rightly understood the hon. Gentleman opposite (Mr. Baring), he contended that these gentlemen were not entitled to any gratuity, although the Bill proposed to turn them off.

Mr. BARING had said, that it was not proposed to turn them off.

Mr. BIGGAR replied, that the scheme was compulsory. At any rate, the Government claimed the right to turn off gentlemen who had been for a long time in the Public Service. If that did not constitute a hardship, he (Mr. Biggar) did not know the meaning of the word. He believed that if this Memorial had been read, much time would have been saved to the Committee; but as the matter then stood, he was sure every Member of the House was thoroughly mystified. He presumed that the Petitioners knew what they wanted, and if the Memorial were read, the Committee could form its own opinion as to the justness of their case. He suggested to the Committee that the document be read, and that they should not allow themselves to be bullied by officialism, which, according to his ideas, was most objectionable.

Captain PIM said, he was quite sure that it was the earnest desire of the First Lord of the Admiralty to do justice to the retiring clerks. He would offer as a compromise, to read one part only of the Memorial which closely touched his Amendment. It was as follows:—

> "The consequence of this proviso"—that was the clause as it then stood—"will be, that while the clerk who has completed 20 years' service in the present junior class and has attained only £400 a-year, will receive a gratuity of £1,000; those of your memorialists who have not reached £400 a-year, but who have completed nearly 30 years' service, will not receive more than £600 or £700."

In reply to the hon. Member for Stirling (Mr. Campbell-Bannerman), he begged to point out that the Admiralty only proposed to retire one class—namely, the senior class, and that was the only class at which his proposal aimed.

Mr. THOMSON HANKEY said, he did not understand the nature of the compromise proposed by the hon. and gallant Member. Although the explanation given had mystified them more than ever, yet the case seemed to him to be very clear. By Act of Parliament regulations were provided, by means of which clerks, under particular circumstances, might be retired; and the same Statute had also fixed the retiring pensions. The Admiralty thought it would be an economical thing to retire a certain number of clerks; but they felt that a rigid application of the rule would be a hardship, and therefore they asked the House to sanction an increase of the retiring pensions. If the statement of facts given by the Government was to be accepted, it seemed to him to be as clear as possible that the House ought to sanction the proposal, unless it could be shown that any clerk had fair ground for coming to the House and saying that he was aggrieved, and asking for an inquiry into his particular case. He was, on these grounds, quite ready to support the view of the Government.

Captain PIM explained that the compromise he had proposed was that he should only read the clause of the Memorial which related immediately to his Amendment, instead of reading the entire Memorial of the senior Admiralty clerks.

Mr. CHILDERS wished to call attention to the inconvenience of the course taken by the hon. and gallant Member for Gravesend. Hitherto the rule had always been that when Memorials were presented to the Government by its Civil *employés*, these documents could only be brought under the notice of the House by means of a Motion for their production being placed upon the Paper. When a Memorial was thus moved for, and the Government produced it, if there were an answer to it, that also was placed before the House, which was then in a position to judge whether the view of the Government was a sound one. There was no instance within his knowledge in which the application made by Civil servants to the head of their Department had been brought before Parliament in the manner adopted in the present case. It would be extremely awkward if the House were prejudiced against these gentlemen in consequence of their case having been presented in an irregular way.

Sir JOSEPH M'KENNA understood the Question really before the Committee to be, whether the Amendment of the hon. and gallant Member should be adopted. The words, as they at present stood in the Bill, provided that the allowance to any clerk should be estimated according to the period for which such clerk had served. The Amendment proposed to strike out the general words, and to qualify them by making a distinction between the different classes in which the clerk had served; and he thought there was a great deal to be said, *primâ facie*, in favour of that course. The Amendment, in his opinion, was very intelligible, and he should support it.

Mr. PARNELL said, that if the clerks, to whom the hon. and gallant Member for Gravesend alluded, knew what was going to happen to them, they would not have been so discontented as they were represented to be. He wished to correct a misrepresentation into which the hon. Baronet the Secretary to the Treasury had fallen, that the Government were possessed of very extensive powers of compensating clerks that retired. The provisions of the Act of 1859 only gave power to the Government to give compensation according to a certain scheme, and power was also given in the case of any person retiring from the Public Service in consequence of the abolition of his office or a re-organization of his Department, to add such special allowance by way of compensation as upon full consideration should seem fit to the Commissioners. That gratuity was to be in addition to the compensation given under the ordinary circumstances. In the present case, the limit of compensation exceeded that given to clerks under the original Act, and the gratuity permitted to be made on compulsory retirement, in the ordinary course, under the Superannuation Act, 1859. By this Bill the Government contemplated retiring a large body of clerks compulsorily, and not in the ordinary course of superannuation assumed by the Act. The right hon. Gentleman the Secretary of State for War had hinted that the Government would proceed to re-organize the Department without this Bill if unusual impediments were thrown in the way of its passing before the end of the Session. The right hon. Gentleman must, however, know that the extensive re-organization of the Department desired by the Government could not be effected under the Superannuation Act of 1859. If, therefore, it was necessary to re-organize the Department, this Bill must be carried. It appeared to him that there was a very considerable distinction between giving gratuities to clerks whom the Government desired to retire compulsorily, and giving the like gratuities to clerks whom the Government wished to retain. He gathered from the statement of the First Lord of the Admiralty that it was the intention to retain the clerks in question, and not to retire them. If the clerks desired to retire, they surely should not receive the gratuities that were only payable on compulsory retirement.

MR. W. H. SMITH said, that if the language which had just now fallen from him had been at all coarse, it was quite unintentional on his part. Perhaps the Committee would allow him to remark that he felt the responsibility of Ministers of the Crown in these matters to be very great. They were charged with the custody of the public purse, and it would be a great crime if they paid more than was necessary for thoroughly maintaining the efficiency of the Public Service. He felt it was a dangerous thing, in the interests of the public, that representations should be sprung upon the House and the Department, on the part of those who desired to be included in pecuniary advantage, which the Government of the day did not think it necessary, in the interests of the Public Service, to afford them. The hon. Gentleman the Member for Meath had referred to the effect of the Amendment of the hon. and gallant Gentleman the Member for Gravesend. The effect of that Amendment would be to authorize the Government to grant gratuities on a larger scale than that which the Government considered necessary; and it was on that account that it resisted the Amendment of the hon. and gallant Member.

Amendment *negatived.*

MR. O'SHAUGHNESSY proposed two verbal Amendments, which he explained were necessary to make the clause unambiguous. The hon. Member was in the act of reading his Amendments, when——

It being now ten minutes to Seven of the clock, Committee report Progress; to sit again *this day.*

THAMES RIVER (PREVENTION OF FLOODS) BILL.

Order read, for resuming Adjourned Debate on Question [8th April],

"That leave be given to bring in a Bill to amend 'The Metropolis Management Act, 1855,' and the Acts amending the same, so far as relates to the protection of the Metropolis from floods and inundations caused by the overflow of the River Thames; and for other purposes."—(*Sir James M'Garel-Hogg.*)

Question again proposed.

Debate *resumed.*

Question put, and *agreed to.*

Bill *ordered* to be brought in by Sir JAMES M'GAREL-HOGG, Sir ANDREW LUSK, and Mr. FORSYTH.

Bill *presented,* and read the first time. [Bill 262.]

The House suspended its Sitting at Seven of the clock.

The House resumed its Sitting at Nine of the clock.

ORDERS OF THE DAY.

SUPPLY.—COMMITTEE.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."—(*Sir Henry Selwin-Ibbetson.*)

THE CASE OF SERGEANT M'CARTHY.

MOTION FOR AN ADDRESS.

MR. MITCHELL HENRY, in rising, according to Notice, to call attention to the Report of Sir James Ingham on the treatment of Charles M'Carthy in Chatham Convict Prison, to the unsatisfactory nature of that inquiry, and to the verdict of the jury that "his death was hastened by the treatment which he received in prison;" and to move for the appointment of a Royal Commission to inquire into the treatment of prisoners of his class and also into the best means of securing a proper classification of prisoners according to the nature of their offences, said, he was very glad that it seldom fell to the lot of any hon. Member to call attention to such painful and disagreeable facts as those which it was his duty to lay before the House, and he could assure hon. Members that he had never risen to address them with feelings of deeper responsibility. He feared that the important statements he was about to make would excite much feeling in the House itself; and that, if they were faithfully reported, as he doubted not they would be to the outer world, a feeling of alarm would be caused to every subject of the Crown.

Some portions of the narrative he was about to relate were of such a nature, that, at his request, Mr. Speaker had ordered a notification to be made in the Gallery reserved for ladies, that topics to which they would hardly like to listen were about to be brought under consideration. The circumstances were these. In the spring of the present year the Government released from penal servitude another batch of Fenian convicts, some of whom were soldiers. One of these, named M'Carthy, was discharged on the 3rd of January last from Chatham Prison in a very imperfect state of health, and died on the 15th of the same month—12 days after his liberation—in Dublin. This poor man, who was in a state of great emaciation, and evidently broken down, died very suddenly as he was going upstairs, at an hotel in Dublin. The Coroner's jury held an inquiry, and returned a verdict to the effect—

> "That Charles M'Carthy died at Number 1, Dawson Street, Dublin, on the 15th January, 1878, and that the cause of his death was heart disease."

They further found—

> "That the treatment which he received in prison had hastened his death."

Now, upon these facts becoming known, a great impression was produced on the mind of the public in Ireland; and it was not surprising that the Home Secretary should have felt it his immediate duty to direct an investigation into the truth of the statements made at the inquest, and, subsequently, he informed the House that he had appointed one of the Police Magistrates in London to conduct that investigation. He (Mr. Mitchell Henry) also remembered that the right hon. Gentleman stated, in answer to further inquiries, that—

> "The investigation would not be held upon the sworn testimony of persons to be examined, inasmuch as there existed no power to compel them to give evidence upon oath."

He felt, then, with many others, that an inquiry of that kind could not be satisfactory, and he felt now that its result had not been, and ought not to be satisfactory, either to the House or to the country. The inquiry conducted by Sir James Ingham, the Chief Magistrate of the Metropolis, was altogether exculpatory of the prison authorities. His Report, which was very brief, extending only to two leaves of the document which he held in his hand, ended with these words—

> "My conclusion is, first, that the death of the deceased was not hastened by his treatment in prison; secondly, that the deceased was treated with as much leniency as was consistent with penal discipline, and the precautions which became necessary to prevent his escape."

He wished to analyze this Report; but was obliged, at that point, to state a little more fully the particular facts of the case. Charles M'Carthy was a soldier of the 53rd Regiment, who had served Her Majesty for many years with distinction; he had received medals for his services, and had been more than once wounded in action; but in June, 1866, he was convicted by court martial held in Dublin of the offence of

> "having come to the knowledge of an intended mutiny, and not giving notice of the same to his commanding officer,"

and was sentenced to penal servitude for life. It was not necessary to review the proceedings of the court martial; but in order to clear the ground, he would state that a soldier who had so failed in his duty was liable to, and might expect, the severest penalty known to the law. In most countries a soldier so offending would, undoubtedly, be executed; and he believed, in the case of M'Carthy, that when hon. Members looked upon the sufferings the man had undergone, and judged of them by the result, it would be concluded that the punishment of death in his case also would have been more merciful. He was one of the strongest men in the British Army, and entered on his prison life in a state of sound health; he bore his imprisonment for the period of four years, during which he was transferred from one prison to another; but in 1870 his health began to break down, and it was alleged, as he (Mr. Mitchell Henry) believed with truth, that this decline resulted from the inhuman treatment to which he was subjected in prison. There was no doubt that Charles M'Carthy was greatly debilitated by the confinement and worry, as well as by the kind of food that he met with in prison; but he (Mr. Mitchell Henry) especially believed that the hard labour to which he was subjected brought on the disease of the heart which, eventually, cost him his life. The House would bear in mind that every statement he made would be taken from documents published in the course of the inquiry; and from these it appeared that when this man was not ill enough to be removed to hospital, his medical history, when his health broke up after four years' incarceration, was as follows:—

> "Feb., 1871, bronchitis—7 entries; 1872, 3 entries; 1873, boil, ague, bronchitis, cough—15 entries; 1874, cough—7 entries; 1877, 2 entries."—[Extracted from *The Medical Case Book.*]

In 1874, however, he became exceedingly ill, and was sent to hospital by the medical officer, Mr. Mayhew, who found that there was disease of the heart. In his evidence given before Sir James Ingham, Mr. Mayhew stated—

> "On the 14th January, 1875, M'Carthy came under my care and that of Dr. Barker (who then had Dr. Burns's post). He complained of pain in the chest, in the left side, cough, and spitting, and his pulse was found to be irregular. This irregularity was discovered three days after his admission. I examined him about the fifth day, when he told me he had had a pain in the heart lasting 10 minutes, and then said he was subject to them. He said—'The heart beats irregularly and seems to stop, and gives me great agony, and doubles me up.' I examined him then very carefully, and considered that his heart was wrong. I thought then it might be a fatty disease of the heart; there were also symptoms pointing to *angina pectoris.*"

That was a most terrible disease, which signified "suffocation of the chest;" the heart in that disease came to a stop, and the patient, if he did not die, underwent the dreadful agonies of suffocation. No one who had ever suffered from *angina pectoris* was free during the rest of his uncertain life from the nervous apprehension of a return of this horrible suffocation, with all the terrors of a most painful death. "The disease of the heart," said Dr. Mayhew, "being once established, can never be cured." He called the attention of the House to this question—How was that disease brought on? In his opinion, it was induced by the prisoner being required, when in a debilitated condition, to carry immense loads. He had said to his fellow-prisoner, O'Brien, just before he applied to the doctor, that the work was too much for him. And O'Brien stated in his evidence, that M'Carthy said to the officer in charge on that occasion—

> "I wish you would get someone else to carry these bags, Sir, I feel very unwell."

And O'Brien further stated—

> "He put my hand to his side, and his heart was beating violently. He saw the doctor, I think, the next day, and got a dose of medicine."

These facts would be, to any person acquainted with medical detail, clear proof that the disease of the heart dated from that particular period. But the statement he had made did not rest entirely on the opinion of Dr. Mayhew. Dr. Barker also said that M'Carthy was examined by him on the 18th January, 1875, when—

> "There was very irregular action of the heart, and that on the 7th of June in the same year he was again admitted to the hospital suffering from palpitation and pain in the region of the heart. He had irregular action of the heart, slight bruit, intermittent pulse, sweating at night, no sleep, white tongue, and bowels costive. He remained in the hospital till the 10th of July, when he was discharged relieved. This was the last time he came into hospital. I saw him every month. I have no note of any aggravation of his disease. He was liberated on the 3rd of January, 1878, and he then made no complaint."

The point he (Mr. Mitchell Henry) wanted to establish was, that in January, 1875, that man had confirmed heart disease. It was necessary to enforce this, because the document from which he was quoting, and which he called a "whitewashing Report," threw some doubt on that fact. What did Sir James Ingham say? His Report stated that—

> "The disease of the heart of which M'Carthy died was first discovered in January, 1875, although its origin may be traced to a rheumatic fever which he admitted having had."

Everybody knew that rheumatic fever in early life was frequently followed by disease of the heart, and it was therefore a great point to establish that this disease was caused, not by the prison treatment, but by rheumatic fever in early life. He was about to say there was no foundation whatever for this statement; but he would now show that it was absolutely contradictory of the record of M'Carthy's medical history. The medical history, from the Prison Books taken on his entrance, said that "The prisoner had not suffered from typhus, scarlet fever, small-pox, rheumatism, or epilepsy." Again, Drs. Mayhew and Barker, when they examined him, both inquired, probably with the view of discovering the cause of the disease of the heart for which he came under their treatment, "whether he had ever had rheumatic fever?" and he replied, as they expressly say, in the negative. The statement, that the disease of the heart might be traced to rheumatic fever, was obtained by Sir James Ingham from a medical man whom M'Carthy consulted on his discharge from prison in 1878; for being at that time very ill, he stood in need of advice and medicine to assist him to bear the journey to Dublin. Mr. Owen, the medical man to whom he went, said in his statement—

> "I was astonished to hear of his death, but not surprised when I heard of the demonstration that was reported in the newspapers. He did not complain to me of his treatment in prison. He told me he had had rheumatic fever some time ago."

That was the only foundation for the statement incorporated in the Report of Sir James Ingham; he could not say there was no foundation for it, but it was in direct contradiction to the medical history furnished by the officers of the prison; and, therefore, it was not fair to place in the front of the Report, as if there was no doubt about the statement, that

> "the origin of the heart disease might be traced to a rheumatic fever which he admitted having had."

Could it be that someone had said to Sir James Ingham—"Disease of the heart often follows rheumatic fever, and if you can trace it to that source, it would tend to exculpate the authorities?" After that period of 1874 the man's health became very much debilitated; but it was to the last 18 months of his life that he particularly desired to call the attention of the House. It would be remembered that about the month of June, 1876, some Fenian convicts made their escape in Australia, and the Governors of prisons in this country were alarmed lest their prisoners should also escape—one consequence of which was that a card was affixed to M'Carthy's cell, stating that he was to be specially watched. The cell to which he was removed with that object was 7 feet long, 4 feet wide, and 7 feet high. Those figures scarcely gave a clear idea of its dimensions; but, if any hon. Member would measure the space with his stick or umbrella, he would find it to be such as one would be ashamed to give to an animal in the Zoological Gardens. A cell of that size contained only 196 cubic feet of air, while the minimum quantity to be supplied to persons in hospitals, as laid down by the Government regulations, was 1,500 feet; and in a cell such as he had described, which contained not quite an eighth part of that quantity of air, M'Carthy passed the last 18 months of his life, except when he was removed to the shop for work. Now, what did this special watching mean? It appeared that warders were told off continually to patrol the passage outside the cell in relays—to open the door every half-hour during the night, and to see that he was alive and in his cell. He was, besides, constantly searched and stripped naked, and in one of his letters he said—

> "During the winter of 1875-6, ever to be remembered for its severity, I was stripped quite naked at least twice a-week, and on each occasion I had to stand on the cold flags for about five minutes in a state of perfect nudity, while the officers were feeling the seams of my shirt and flannel. From the date of the placard being placed over my door, I have had no peace either day or night, an officer was appointed to visit our cells every afternoon, and throw everything within them about in the greatest possible confusion. This is a most vexatious annoyance. It is only about 18 months ago that one man hanged himself. Another stole in a rope from off the works to do the same, and two others cut their veins, through being subjected to this ordeal for only one week, and we have endured it now for one year. Since the 22nd May, 1876, I have been stripped 73 times, and the contents of my cell have been dealt with as stated above 438 times."

P. O'Brien, another prisoner, also discharged at the same time, said—

> "My cell was searched, and the contents put in a state of complete confusion upwards of 550 times. All this was in addition to a full share of cell-searching to which every prisoner is periodically subjected. I have been searched and stripped perfectly naked as often as four times a-day, and my cell searched three times in the one day."

At this point it would be useful to refer to the evidence given by the chief warder at Chatham Prison before Sir James Ingham. Edward Turner states, with regard to the system of special watching, that—

> "An assistant warder, in turn, would go the nightly rounds of the cells, from about 7 to 8, to about half-past 5 in the morning. There are about 84 assistant warders. It is part of the duty of an assistant warder to walk round and see that each cell is secure. He places his hand gently against the door to see if it is secure, and he occasionally looks through an inspection-hole in the door. No noise would be made by pressing against the door of M'Carthy's cell, in

the ordinary way, to see if it were secure. The cell doors open inwards. M'Carthy's door would possibly be pressed six or seven times in the night, according to the officer's discretion. The inspection through the hole would not cause the slightest noise or disturbance to the prisoner. In my opinion, the pressure against the door would not be calculated to disturb the prisoner's sleep."

The prisoner, O'Brien, however, gave a very different account. He said—

> "M'Carthy's rest was very much disturbed at night by the patrols coming to his cell and trying the door to see if it were secure. Some of the officers would simply pull or gently push the door, while others would strike the door with considerable violence. Others, again, would take the door-handle in their hands and shake it noisily. If the night watchmen implicitly obeyed their instructions, they would visit our cells every half-hour during the night."

The House ought to get at the truth of this matter, and he thought that testimony which was unimpeachable could be had. The system of special watching was not a new thing in our prisons, and evidence on the point was extracted by the Commission appointed in 1870 to inquire into the system of penal discipline. The Director of Prisons (Mr. Fagan) stated before that Commission—

> "That a man would not be more than half-an-hour during the night without being visited; and that if he covered himself up in his blanket he would be awakened."

Again, the prisoner Dillon said before the same Commission—

> "I was awakened, or rather kept awake by the unbarring of the trap-door every 20 minutes; and when the door was opened, the officer flashed a light from a powerful reflector lamp upon my face, and, afterwards, closing the trap-door with a bang, left me to enjoy the darkness for 20 minutes which the thieves and other criminals enjoyed without disturbance or interruption the entire night."

He begged the House to consider that this system was exercised upon a literally dying man! Let them pause for a moment and think what that meant. There were probably hon. Members present whose friends and relatives had died of disease of the heart, who would remember how, whilst watching by the bed-side of the patient, they welcomed sleep when it came, preceded generally by agony and profuse sweating; how every noise was shut out; but how, notwithstanding all precautions, the heart speedily became oppressed in its feeble condition, and how the patient awoke in fright after, perhaps five or six minutes' precious rest. Nothing could be more distressing to the jaded watchers, nothing more terrible to the dying sufferer. As a medical man, he had watched in this way, and the idea of disturbing or awakening the sufferer by banging the doors appeared to him so inhuman—so dreadful—that he could hardly express the feelings which he entertained respecting it. If the Government, or their officials, were afraid that a man would escape, was there no other means of insuring his safety than by looking at him and almost touching him every hour during the night? That system, intended really for the purpose of punishment, was a disgrace even to the mechanical arts of prison discipline, and nobody could persuade him that it was practised only for the sake of inspection. In 1877, a year before his death, M'Carthy, for the offence of having in his possession a piece of writing paper, was reduced, and placed on gruel diet; he had during the previous few months lost nearly all his teeth, and was for that reason quite unable to eat the hard bread given to him; he took the opportunity of asking for something to soak it, and the doctor ordered him a pint of cold water, as the poor man said he thought by way of a joke.

He now came to that part of his narrative of prison discipline which was especially painful, and he assured the House that the reference he was about to make applied not to M'Carthy's case alone, but to the general management of prisons. It was the habit in our convict prisons to subject human beings to the most degrading kind of searching that could possibly be imagined. Occasions had been met with in which some degraded members of society were known to have concealed articles in the rectum. He had been told of a man, a noted burglar, who had once concealed up his rectum a piece of iron wire, with which he intended to open the locks of his prison. He (Mr. Mitchell Henry) did not know whether the custom dated from the time of that case, but prisoners were at this moment constantly and systematically searched in the way indicated; and it was to be borne in mind that they were not degraded criminals, but men who like M'Carthy, Davitt, and other Fenian prisoners, came from the respectable classes of society. Davitt was a commercial traveller, and whatever might have been his offence, if he were sitting on those benches, hon. Members would say that he was as intellectual, and as respectable a person in his behaviour, as any hon. Gentleman present. He was educated well according to his position in life, he had maintained his intellectual and moral faculties, and yet that man was subjected to this horrible searching. There was nothing of which the Fenian prisoners complained so much as that practice, which ought to be perfectly well known to the Home Secretary; and yet, although the attention of the Government had been drawn to it over and over again, the horrible practice was continued. The evidence of one of the prisoners, Thomas Chambers, also discharged at the same time with M'Carthy, was that—

> "Whilst in prison we were frequently stripped naked, and our bodies examined by officers. This was done in front of common ruffians. M'Carthy seemed to suffer more from these insults than any of us. From my own personal experience," he added, "I believe that the unnatural restraint that a man has to bring to bear on his temper is more injurious to a man's system than hunger, cold, and all the other bodily hardships that he has to suffer in prison. I mean the unnatural restraint that a man with any pretensions to decency has to put on his temper when stripped naked and searched, in the indescribable, unmentionable way that we were searched."

Davitt said as follows:—

> "When we are made to strip naked a warder stands in front, and we are made to open our mouths wide, then turn round, stoop down, and separate the legs wide; then to lift up the right leg; then to have armpits examined. In ordinary searching, our bodies are rubbed down four times a day by a warder. When a warder wishes to insult and aggravate a prisoner he takes care to touch the parts and person."

He was now about to read some of the evidence on the same subject taken by a Commission to inquire into the treatment of Fenian prisoners, which reported in 1870. During this inquiry one man, Peter Mohan, said—

> "I was stripped naked so often as three times a-week by three officers of the prison; they compelled me to stoop down so that they put my hands on my toes, while they actually examined my passages, as if I had stones or something contained in that peculiar part of my body."

In reply to Dr. Lyons, he said—

> "I was compelled to put my hands on the floor, while the officers stood behind me and examined my passage. I was examined three times a-week, standing naked, perfectly naked as I was born, in a ward full of robbers."

Another convict, Patrick Ryan, said—

> "I had my arms extended from my body. While naked, they looked into my mouth, nostrils, and ears; they looked under my thighs, and up my fundament, and handled my testicles."

John Murphy, another prisoner, said—and hon. Members would remember that all this testimony was given by the witnesses independently of each other, that—

> "Sometimes two or three warders would come and laugh and sneer at me. I begged them not to do so, and asked them for pity's sake to let me keep my shirt on. I had to stand naked. It is too disgusting to tell you how we were used. I don't like to speak of it, I don't indeed. They hurt my feelings as far as ever they could."

Such was the evidence given before the Commission. With regard to the condition of mind of a Governor or warder of a prison, tempted by their wages, and required so to degrade himself, it was impossible to form any idea. Then came the evidence of the Governor of a prison, who said in substance that—

> "Having cause to suspect a particular individual of concealing something in a part of his body, I had him examined by one warder, who found nothing; a second tried, with the same result. I was sure he had got the thing. Then I got a third warder, and I found the articles—a piece of tobacco."

From this narrative, it was quite clear that perseverance was rewarded with success. But was it not revolting that a respectable man should be required to institute examinations of this description—a thing which, when indiscriminately applied as they had hitherto been, the people of England would not bear; and which, having been stated in the House of Commons, he ventured to say would cease at once and for ever?

He now came to the second portion of his case. Sir James Ingham wished to make out that M'Carthy's cell of 7 feet by 4 feet by 7 feet high, was admirably adapted to his condition; and he stated in his Report—

> "I find that during the time the prisoner complained of palpitation of the heart and restlessness at night, and for many months before and after that time, he occupied a cell containing, in addition to other ventilation, a window which communicated with the open air by means of a valve, which he could open and shut at pleasure."

Would the House believe that this paragraph, like the other he had quoted about rheumatism, put in the front of the Report so as to catch the attention of the reader at once, did not refer at all to the 18 months during which M'Carthy was specially watched, but to a time previous to that period? He must ask the Home Secretary for an explanation of that most disingenuous statement, which was put into the Report to strike the eye of the public, who would naturally suppose everything had been found to be right. Again, to a letter from Sir James Ingham, dated 25th February, 1878, Doctor Pitman, whom Sir James Ingham called in as assessor, replied—

> "With reference to the points raised in your letter of February 25—namely, First, whether, after the discovery of the heart disease, the deceased (Charles M'Carthy) ought to have been confined in a cell which had not a window opening into the external air? Secondly, whether the duty of orderly, requiring the carrying of weights (say, 52 lbs.) up a flight of 25 steps, three times in one day (once a week), and the carrying of slops, &c., once a month, was injurious to health, I would observe, first, considering the strong tendency of persons with heart disease to congestion of the lungs and air passages upon exposure to currents of cold air, I should have selected, on medical grounds, the cell in which the deceased was confined in preference to one with an open window."

As a medical man, he (Mr. Mitchell Henry) could not read that paragraph without indignation. As if, because a cell had a window opening to the external air, it followed that the prisoner was to be recklessly exposed to draughts. M'Carthy was placed in a cell that contained only 196 cubic feet, or a little more than an eighth of the minimum allowance of air considered necessary for any hospital patient. Why, there was not a hospital physician in London who would not have replied to the question put to Dr. Pitman by Sir James Ingham, that—"It would have been better for a man in the condition of M'Carthy to have been exposed to the risk of an open window, than be placed in that living tomb." Doctor Pitman further said, continuing his reply to Sir James Ingham—

> "Judging from the symptoms during life as detailed by the medical attendants of Charles M'Carthy when in prison, and the condition of the heart and other organs found on *post-mortem* examination, I am of opinion that Charles M'Carthy, when in prison, was quite equal to the duties of orderly without injury to his health."

He would contrast with that reply, the statement of the physicians who made the *post-mortem* examination—

> "I am of opinion," said Dr. O'Leary, "that disease of the heart was so marked and intensified, that perfectly satisfactory evidence must have been manifested to demonstrate to any medical man two years since that the patient was utterly unfit to undergo the prison discipline."

Another physician, Dr. Kenny, on the same occasion, said—

> "I can scarcely conceive that anything could be more injurious to this man than bad ventilation; the disease must have existed for at least two years; he ought to have been placed under medical treatment, and supplied with better food and a better ventilated cell; he ought not to have been employed in any kind of hard labour."

Having contrasted the evidence of the physicians who examined M'Carthy's body, with the hearsay statements of the gentleman who gave it as his opinion that it was perfectly satisfactory to confine him in such a cell during the last 18 months of his life, he found that another medical man employed in the prison, went even further than that, and testified in substance that the man's life was saved by being in prison—that it was good for him to undergo the discipline; to be confined in a cell 7 feet by 4 feet; to have his rest broken every half hour; and to be supplied with food which he could not eat. The Commission appointed this year by the Home Secretary to inquire into the system of penal servitude, as practised in this country, numbered amongst its Members Gentlemen with whose respectability, ability, and integrity everybody was satisfied; but the Home Secretary had included, with the other Commissioners, a particular medical man, once a colleague of his (Mr. Mitchell Henry's), but he objected to his appointment, not from personal disrespect, but on the ground that he had been employed by Government on a former Commission of a similar kind. That gentleman, Dr. Greenhow, had disagreed with all the other Commissioners making what must be called exceedingly harsh recommendations in the separate and distinct Report drawn up by him. Why should the Government have appointed Dr. Greenhow, whose Report was opposed to that of the other Commissioners, and especially to that of his colleague in the Commission of 1870, Dr. Lyons, a gentleman whose fame was, he might say, European, and whose reputation was established throughout the scientific world? It was a most injudicious selection, and he thought the Home Secretary could not have been aware of all the facts of the case. It appeared, moreover, that during the course of the inquiry, Dr. Greenhow was prevented by domestic circumstances from attending the Commission for some little time, and the Government then appointed Dr. Guy. The appointment of Dr. Greenhow was wrong, because his opinion was already known, and Dr. Guy appeared to have only begun his attendance yesterday, whereas the Commission had been sitting for many weeks. But it might be said—"When the Government has appointed this Commission, why are you not content? We have tried to get at the truth in M'Carthy's case by appointing a most respectable magistrate to inquire into the facts relating to his treatment in prison, and yet you are not satisfied." The answer was, that some hon. Members knew, from their own experience, that the Reports of such Commissions were unreliable; that the Home Secretary—he was not speaking of the right hon. Gentleman who now filled that Office—had had statements put into his mouth which had been proved to be absolutely baseless. These reasons sufficiently explained their want of confidence. The Report of Sir James Ingham should not have been coloured in a way to strike the eye of a person reading it; and, if it were examined, it would be seen that the facts upon which reliance was placed had not been at all correctly stated. Again, in the year 1869, O'Donovan Rossa committed a gross outrage, for which he deserved the severest punishment; but the punishment selected was atrocious. He was handcuffed, sometimes before and sometimes behind, for 35 consecutive days, during which time he fed as a dog, having to stoop down like a wild beast. The attention of the House was called to these circumstances, and Mr. Bruce, (now Lord Aberdare), who was at that time Home Secretary, replied that—

> "The statement referred to in the Question of Sir John Gray had no foundation, and that O'Donovan Rossa was only handcuffed with his hands behind him for a part of one day."

Upon that, Sir John Gray, being totally deceived and thrown off his guard, rose and said that he felt the statement made by Mr. Bruce to be highly satisfactory; but, in August of the same year, the late Mr. George Henry Moore again brought the case under the notice of the House of Commons on a Motion to the effect that political prisoners should be treated differently to other convicts; and Mr. Bruce, in the course of an elaborate reply, said that he had consulted with the Governor of the prison, who positively contradicted the statement that O'Donovan Rossa had been handcuffed as alleged, his denial being supported by the doctor, and partly supported by the chief warder of the prison. By the subsequent Report of the Commission appointed in consequence of Mr. George Henry Moore's Motion it was found, in spite of the denial of the Home Secretary and the Governor and officers of the prison, that every word of the original statement with reference to O'Donovan Rossa was true, and that what had been said in contradiction to it was absolutely false. The Commissioners who made that Report were Lord Devon, the Hon. George Brodrick, Mr. De Vere, Dr. Lyons, and Dr. Greenhow—the last of whom made the separate Report upon which comment had been made. The Report, in its entirety, was too long to read; but the fact was absolutely proved that O'Donovan Rossa had been manacled in the manner described for 35 days. There was one man, indeed, an old soldier, named Douglas, who had been many years a warder, but who had left his employment, who knew the real truth, and who had always said that the official statement concerning O'Donovan Rossa was absolutely untrue. Would it be believed that the Commissioners did not examine this man, who was in Edinburgh; because, as they said, they had no funds at their disposal for paying his expenses, which he was too poor to bear himself? Was that the proper way to conduct an inquiry? He knew perfectly well what would be the answer of the English people. Again, another horror, beyond the utensils found in the cells, there was in the prisons no convenience for discharging at night the natural functions of the body; whilst, owing to the circumstance that the diet of the prisoners was very poor, they were frequently afflicted with diarrhœa, and, as a consequence of this, the men sometimes had to make use of their utensils. Upon this point it would be found, from the evidence of the doctor, that a man would be punished if he made use of one of those utensils for the evacuation of the bowels unless the doctor considered he had occasion to do so. One of the Commissioners very properly asked the Question—

> "Suppose a prisoner has an inclination to have his bowels evacuated at 12 o'clock at night; how could you tell whether he did so wilfully or not?"

And this led to a dissertation which only a prison official could appreciate. But he would not disgust or weary the House by pursuing that part of the subject. Again, it was proved by the repeated testimony of discharged prisoners that men had actually been seen to fish out undigested morsels of food from the ordure tubs, to appease their wolf-like hunger. Chambers, a lately discharged military prisoner, declared that he had known prisoners to eat rats, frogs, grass, candles, boot-grease, and many other such things; and, if he were inclined, he could read to the House a terrible narrative of the sensations of a prisoner reduced for a week to bread and water diet. The fierce craving for food, the subsequent dullness of appetite, the drowsiness, the troubled sleep, dreaming of food, and the thorough sickness of stomach and inability to eat when the ordinary food was restored, made up a picture of frightful human suffering. Amongst other things, too, complained of, it was shown that political prisoners had to bathe in the water used by the other prisoners; they complained that many of the latter had syphilitic eruptions upon their bodies. Was it not most degrading and disgusting to compel an unfortunate man to go into water from which one of these diseased persons had just emerged? Then it would be found that one of the prisoners lately discharged — Mr. Davitt — complained bitterly, and most properly, of the manner in which he was treated when he was taken from one prison to another. He was handcuffed to a man of the most degraded character, afflicted with exhalations of the most noxious kind. During the journey, the man was seized with diarrhœa, and the officer in charge refused to allow his hand to be released. He would leave that case to speak for itself, and pass on to the various contrivances used by gaolers, with the object of aggravating the sufferings of the persons under their charge, one of the commonest being the refusal of leave to go to the water-closet. On one occasion, in Dublin, Dr. Robert M'Donnel told him that another means of aggravating prisoners was as follows:—It was found that most of the Roman Catholic prisoners, when stripped, wore round their necks scapularies, or sacred emblems—the gift, it might be, of a mother or dear relation—which had never been removed, and, perhaps, contained a sacred text; and which, under no circumstances, could a man retaining any religious feeling or affection part with. It was the practice of the warders in Mountjoy Prison, Dublin, when asked by the prisoners to be allowed to retain these emblems, to tear them off and fling them on the floor; and the Governor of one of the English prisons, in giving his evidence, showed his temper and his bias by speaking of them as "charms." The man Dillon said, further, that during the time he worked in the prison, the Scripture readers were in the habit of reading twice a-day books containing stories of a character so offensive to Roman Catholics that there could be no doubt they were read for the purpose of annoyance; and, again, that whilst another class of books was being read which contained stories that reflected upon and ridiculed the Irish, the English prisoners would laugh, and ask them how they liked them? Upon another occasion, when a man was reading from *Chambers' Encyclopædia* a story of a priest who first seduced a woman at confession and then murdered her, some of the Irish prisoners rose and said—"Shut up that book," and there was a row. These were acts of torture and shame, which ought not to be tolerated in any country, and it was the duty of the Government to see that they were not permitted here.

The latter part of his Motion was that prisoners should be classified according to the nature of their offences—that was to say, that political offenders should not be placed amongst prisoners of a degraded kind. He could not do better on this head than quote the observations made on this point by the prisoner Dillon, a man of education, who expressed himself as follows to the Commissioners;—

> "In pointing to the treatment received at the hands of prison officials, it would be wrong to overlook the fundamental truth which underlies the whole, and which goes far to account for our exceptional treatment in convict prisons. It is found in the difference, morally and politically, existing between thieves and political prisoners. When the thief is tried, and his sentence passed, he comes into the prisons built for thieves, and is lost amongst the number of other criminals whom he finds there before him. Inside the prison walls he is not persecuted because he was a professional thief outside; he is not punished if he keeps within the prison rules. The Irish political prisoner, on the contrary, enters the prisons built for thieves accompanied by the most rancorous and bitterest feelings of hostility. Under the influence of political, national, and religious antipathies, the worst passions of the human heart are perpetually quickening into acts of oppression and persecution against him; while the moral feelings of his gaolers are too blunt, too sluggish, or too depraved to persecute a thief as such, their political hatreds and antipathies are being continually aroused against the political prisoner by the actions of his party outside the prison walls. He is punished for his own offence in the past, and for theirs in the present."

The late Mr. George Henry Moore, who made a similar Motion, in advocating the establishment of a separate prison for political offenders, said that—

> "Human nature rebelled against the idea of their being classed with thieves and other degraded characters."

His (Mr. Moore's) Motion was not carried, but it was supported by Mr. Henley, and the Commissioners—with the exception of Dr. Greenhow, who dissented from the Report—recommended that they should be treated separately. In thanking the House for its attention to his narrative, the hon. Member said, in conclusion, that he fully admitted that in the matter of rules which were laid down by the Government for prison discipline, they were exposed to the circumstance that such discipline was administered by human beings at all times liable to faults of passion and temper. But there was one safeguard—the only one that he knew of—and which, in the case of lunatic asylums, had been proved to be a safeguard. Attached to every prison in the country there ought to be a Visiting Committee of gentlemen from the outside associated with a medical man wholly independent of the Governor of the prison, and who had not been cooped up within the cells of these "Bastiles," and whose mind had not been contaminated by constant associations with the most degraded of human beings. Only a few days ago, two warders of a lunatic asylum broke a man's ribs and killed him, for which act they were to be tried. But this case of cruelty would never have been found out had it not been for the vigilance of the Visiting Committee. He looked with apprehension on the fact that the Home Secretary had taken charge of all county prisons, because he knew how anxiously hitherto the magistrates had looked after the welfare of the inmates; but when their functions in respect of government were removed, it was to be feared that their interest would be relaxed, and that the county prisons would become assimilated to the abominable places which had been so long tolerated in the country under the name of convict prisons. He again insisted, that in connection with every one of these prisons there should be a good, active, and periodically-changed Visiting Committee, who should, from the outside, ascertain what was going on within the prison walls. If that course were followed, however, the policy of the Government, as pursued towards Dr. M'Donnel, whose duty it was to visit Mountjoy Prison, Dublin, would have to be reversed. That gentleman, in the course of his duties, made constant representations to the Government of the wrongs committed in that prison. He said one of the punishments which the Director of Convict Prisons required to be inflicted upon prisoners was that of depriving them of their bedding at night. What was the use of saying that the cell was warmed by hot air, as they said in reply? Dr. Robert M'Donnel, going his round one day, saw a miserable-looking object crouched up in the corner of a cell. In response to his inquiries, the man told Dr. M'Donnel—who afterwards found that the punishment was likely to prove fatal—that he had been deprived of his bedding and bed for several successive nights. Dr. M'Donnel ordered him to be removed, meeting with the greatest opposition on the part of the Governor and officials. What was the result? Dr. M'Donnel was removed, and his office abolished, for no other reason than that he was an honest man, who made to the Government a truthful Report, which was disagreeable to the authorities. It followed, therefore, if the Home Secretary eventually determined to appoint external Committees to visit prisons, and if such Committees should find it their duty to report any abuse of prison discipline, that they should not be exposed to such treatment as was extended to Dr. M'Donnel. In commending his Motion to the House, he desired to point out that he had ascertained that the Instructions to the Prison Commission now sitting did not imply any inquiry of the kind which he intended. The Commissioners would not inquire into individual cases, nor would they inquire into the question raised by the second part of his Motion; and, as he considered that a Commission ought to be appointed for those purposes, he begged to move the Resolution of which he had given Notice.

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "an humble Address be presented to Her Majesty, praying Her Majesty to appoint a Royal Commission to inquire into the death of Charles M'Carthy, lately a political prisoner in Chatham Prison, and also into the treatment of political prisoners and of military political prisoners, and of securing a proper classification of convicts according to the nature of their offences, whether political or otherwise,"—(*Mr. Mitchell Henry,*)

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

SIR JOSEPH M'KENNA thought it would be desirable, before the debate proceeded further, that some Member of the Government should state what course they were prepared to take with respect to the Amendment which had just been moved. He was glad, he might add, to find that the Treasury Bench presented a very favourable contrast to the front Opposition Bench, from which he missed those right hon. Gentlemen who from time to time seemed to manifest some interest in a subject on which they were not, however, there that evening to say a word. He merely wished to observe, further, to prevent confusion, that the dimensions of the cell in which M'Carthy was confined were 196 cubic feet and no more.

MR. PLUNKET said, he hoped to hear, before the debate closed, some better reasons than had already been advanced for the institution of the proposed inquiry. He had read with great care the statements which had been laid before the House with regard to the case in question, and he was of opinion that the investigation which had been made into it by the Government, at the instance of some hon. Members opposite, was in every respect satisfactory. The magistrate by whom that investigation had been conducted was a gentleman whose long course of public service had earned for him the confidence of all those who had occasion to observe the manner in which he discharged his duties. He was attended by a medical officer of great experience and high character in his Profession, and a lengthened and careful inquiry was held. From the Report of that inquiry it appeared that no excessive punishment of any kind was inflicted on the convict M'Carthy; that he was subjected to no cruelty; and that he was regularly attended throughout his confinement by the proper medical authority. There were, of course, he at once admitted, circumstances connected with the case which were calculated to cause a good deal of excitement, inasmuch as M'Carthy had been convicted of an offence which was looked upon as partaking more or less of a political character, and there was no doubt in it an element of that kind which distinguished it from ordinary offences. Still, the man had been fairly convicted, and the sentence which had been passed upon him could not be said to have been unjust, and when in prison, he was from time to time attended by a properly qualified medical officer. In these circumstances it was, he thought, quite unnecessary to issue a Commission or to institute any further inquiry into the details of the case; for it was clear from the Papers which had been laid before the House that there was no undue harshness or severity in the treatment which the prisoner had received.

SIR GEORGE BOWYER said, he thought somebody ought to undertake to represent those right hon. Gentlemen who were absent. The right hon. Gentleman the Member for Greenwich (Mr. Gladstone) had some years ago taken an exceedingly active interest in the question of the political prisoners; and from the general interest which the right hon. Gentleman and those who acted with him took in matters affecting the liberty of the subject and Liberal principles, it was rather surprising that they had not come forward to support this Motion. They were absent, however, and he (Sir George Bowyer) had taken their place for the occasion. Seriously, a very grave charge had been brought forward, which he should hardly have credited if he did not know that the hon. Gentleman would not have made his Motion, except on some foundation. But, whatever might have once been the condition of political prisoners, their treatment had lately been much improved; and he trusted that the Government would be prepared to explain the circumstances of the case which had been brought under their notice.

THE SOLICITOR GENERAL (Sir HARDINGE GIFFARD) said, he agreed with the hon. and learned Member for Dublin University (Mr. Plunket), that the case was one in which one's sympathies were very much in favour of the unhappy man who had come by his death in circumstances so well calculated to excite compassion. Nothing could be more likely to arouse feelings of pity than the circumstances attending the liberation of M'Carthy and his expected meeting with his wife and family; but he would suggest that that was just the condition of feeling in which an injustice might be done, and the blame of a catastrophe fixed on the wrong person. As for the inquiry in Dublin, the only persons who were able to give information were, as prisoners, whether or not indignities had been inflicted on them likely to attach blame to the authorities. And, after the verdict, what had been done? The chief magistrate of the Metropolis had been invited to inquire into the matter, and he had done so, not alone, but with able assistants. No hon. Member, he need hardly say, would accuse Sir James Ingham of a bias; for, of course, it was nothing to him whether or not several warders had misconducted themselves, and the hon. Member for Mayo (Mr. O'Connor Power) had had a full opportunity of visiting the place himself and forming his own conclusions. Now, what were the allegations? It would be found that many abuses had been alleged which were, at all events, not practised on M'Carthy, and that many of the indignities mentioned in the papers, read by the hon. Member for Galway, had never been suffered by him, and probably were not inflicted on anyone at present. What he wanted to point out to the House was that the indignities which M'Carthy had suffered, according to his fellow-prisoners, were not to be mixed up with those alleged by the witnesses before the Devon Commission to have been produced before 1870. As a result of the inquiry, Sir James Ingham found, on the authority and evidence of persons mentioned on the 18th page of the papers—namely, Messrs. Byrne, Mayhew, and Barker—that the statements received as to the treatment of M'Carthy were positively and absolutely denied, and that the denial was supported by the chief warder, three principal warders, and the clerk of the works. In what other way could the truth be ascertained, and what more could a Royal Commission do, as it must enter upon the same question with the same information and the same witnesses? In substance, the allegations were reduced to two. In the first place, it had been said that M'Carthy was made to perform heavy labour, for which he was physically unfit—that he had to carry heavy weights, and that heart disease resulted therefrom. Now, as for the first point, it was absolutely certain that after October, 1871, the deceased never carried those weights. Sir James Ingham had decided it as a fact that after that date, before there were any symptoms of heart disease, he had carried no heavy weights whatever. That was the evidence collected by Sir James Ingham, and the allegations of the fellow-prisoners were not borne out by the facts. Even if they had the proposed Commission, it must take the same evidence and arrive at the same conclusion. Next, it was asserted that the ventilation of the cell in which M'Carthy was confined was defective. What was Dr. Pittman's evidence on that point? Dr. Pittman saw the cell in which M'Carthy was confined, and he stated that, on medical grounds, he would have selected that cell for the deceased in preference to one with an open window. Dr. Pittman was not judging from hearsay evidence; and, without going into an exact calculation of how many cubic feet the cell contained, he saw the cell, and observed the access of fresh air to the prison. Having given credit, also, he supposed, to the appearances of the body at the *post-mortem* examination in Dublin, he came to the conclusion above stated. The hon. Member for Galway (Mr. Mitchell Henry) might disagree with that; but what more was to be done? They had had impartial and skilled evidence. His own experience was that whenever they had questions of opinion raised, they might have opinions almost diametrically opposed to each other from skilled persons; but still he did not know how they were to arrive much nearer the truth by a Commission. The hon. Member had passed over the conflict between the statements of the different persons examined. It was a question to be considered whether the fellow-convicts, in giving their evidence against the prison officials, were to be trusted or not, and whether they had not exaggerated and entertained a desire to cast blame on those officials. The hon. Member had suggested, as one of the proofs of the cruelty and harshness shown to M'Carthy, that, on his requiring something to moisten his food on account of his defective teeth, when he applied to the medical officer, the latter ordered him a pint of cold water. But that was not quite the whole of the evidence. The statements of the deceased's fellow-convicts were not anything so mild as that; but they were to the effect that, on being applied to, the medical officer told M'Carthy that he might get some cold water, and "that that was too good for him." They stated that that was said by the medical officer, in the presence of the assistant medical officer and another official; but all those three officers denied the statement. That being so, how were they sure that the fellow-convicts could be trusted as to what M'Carthy had told them on other points where it was not possible to contradict them? Again, what was to be said about the conflict of evidence about the visit to the tailor's shop? Was it to be supposed that all the officials, those who were concerned in the alleged acts of cruelty, and those who were not, were engaged in a conspiracy to shield the prison authorities from blame? Why was the evidence of the fellow-convicts to be received, and to be allowed to overbear that of everybody else? What was the admitted state of facts? Up to a considerable time, M'Carthy was a person enjoying good health, and after a time his health failed. The hon. Member assumed that that had necessarily arisen from the hardships he suffered in prison. But people in different circumstances sometimes contracted heart complaint as they went on in life. Moreover, M'Carthy admitted that he had suffered from rheumatic fever; and Dr. Pittman, he thought, spoke of the tendency of rheumatic fever to induce heart disease afterwards.

MR. MITCHELL HENRY: It appears, from the evidence of the doctors who examined M'Carthy when he first went into the prison, that he stated persistently he had never had rheumatism, and it was so recorded in the prison books.

THE SOLICITOR GENERAL (Sir HARDINGE GIFFARD): It was certainly stated in those Papers that M'Carthy had admitted that he had suffered from rheumatic fever, and this was assigned as a reason why he had contracted heart disease. Another striking fact was this — that the weight of M'Carthy, who was stated to have been so much ill-used in prison, was exactly 2 lbs. heavier on the day of his discharge than it was on the day of his entering the prison. He did not say that that circumstance alone was conclusive; but it certainly was not consistent with the allegation that the cruelties practised upon him had so changed his appearance that his friends could not know him when he was released. He (the Solicitor General) was surprised to find that the two gentlemen on whose statements the hon. Member relied disbelieved what had been said by Mr. W. Owen, of the College of Surgeons, to whom Charles M'Carthy, by the advice of his own friends, went for medical treatment on coming out of prison. Mr. Owen said that M'Carthy never complained to him that his cell was ill-ventilated, nor of his food and clothing. No doubt, there was a certain amount of weight in the argument that M'Carthy would not like to complain of his treatment to the prison officials. But Mr. Owen was not a prison official, and he went on to say—

> "My impression was that he was satisfied with his treatment in prison. . . . . . He spoke particularly of the kindness of the medical officer."

Was that statement of Mr. Owen true, or was it wilfully false? Some witnesses on whom the hon. Member for Galway seemed to rely, actually suggested that it was invented. One used the euphemism that it was "imaginary," and another more plainly said that Mr. Owen had not told the truth. But if

Charles M'Carthy did say what Mr. Owen stated about the medical officer of the prison, what was the House to think of the evidence reported partly from hearsay? There was hardly a phrase bad enough for Dr. Burns, the medical officer under whose treatment Charles M'Carthy was, and yet there was the independent evidence of Mr. Owen that M'Carthy, immediately after coming out of prison, spoke of the kindness of the medical officer while he was there. The hon. Member, in his statement, had not adverted to that fact at all. It might be taken for granted, from the medical evidence, that the man had heart disease; but he found the medical men on one important point in absolute conflict. One medical man states—"I adhere to my statement that the disease could not have been of long duration." The medical men who gave their evidence in Dublin, as it was stated, "amid cheers," spoke very positively, from the appearance of the organs after death, of what must have been observed by any medical man of competent skill during the period M'Carthy was in prison. Well, he had often in Courts of Justice to observe on evidence of that speculative character, and he did not think that either juries or Judges were satisfied with it. It was to be remarked that the testimony he had quoted from Mr. Owen had an important bearing on that part of the evidence. Was it to be conceived that medical men, whose duty was not of a penal character, but rather to alleviate the ailments of those who came before them, if they had seen symptoms of heart disease, would not have procured for him some milder treatment? And once it was admitted that the medical men were, as M'Carthy acknowledged, kind to him, it was utterly inconceivable that he could have exhibited those signs of extreme suffering which had been alleged. It appeared to him, therefore, not only was the evidence brought before Sir James Ingham sufficient to justify him in arriving at the conclusion he came to; but it was such a conclusion as any impartial man would have arrived at. Admitting that Charles M'Carthy died of heart disease, was there no other cause than what had been alleged? Mr. Owen warned him not to excite himself, and not to attend any political meeting, or the excitement might prove fatal at any moment. Mr. Owen said—

"I was astonished to hear of his death, but not surprised at it when I saw the demonstration described in the newspapers."

The Nation newspaper spoke of the rushing, shouting, frantic crowds who stormed about Westland Row that evening. His reception by such a crowd was every way calculated to excite a man who had just come from a 12 years' confinement in a convict prison, and who hoped and expected to see his wife and family. Why did the hon. Gentleman assume that all the evidence on one side was inaccurate? The evidence of warders, and of all the different classes of witnesses, had been ably contrasted by an experienced magistrate. His right hon. Friend had sent him the depositions before the coroner's jury, asking him to go and make inquiries himself, and Sir James Ingham, after a perfectly impartial investigation, came to the conclusion that the death of M'Carthy had not been occasioned or accelerated by treatment he received in prison. He submitted there was ample evidence to justify that conclusion. No doubt, the hon. Member might be dissatisfied with the conclusion arrived at; but so he might be if the Commission he now asked for were appointed. He might still find fault with the evidence or with the conduct of the Commissioners, just as he now found fault with Dr. Pittman and Sir James Ingham, who had inquired into every allegation, and found that there was no foundation for either complaint. He hoped the House would come to the same conclusion.

Mr. O'CONNOR POWER could assure the hon. and learned Member for the University of Dublin (Mr. Plunket), who had asked whether he had not been afforded every facility of investigating the case of Sergeant M'Carthy, that he had anticipated the line of argument which might be adopted by those who took the Government view of this question by the letter which he had addressed to Sir James Ingham with reference to the inquiry. In the early part of his letter, he said, before receiving any communication from Sir James Ingham, he had put a question to the right hon. Gentleman the Home Secretary (Mr. Assheton Cross), in which he indicated his belief that the inquiry should be public and on oath, and when he learnt the magistrate had no power to administer an oath in such a case, he still urged that the inquiry should be made public. Whatever the result of the inquiry, he was convinced it would not be satisfactory unless it was a public inquiry. What he wrote was as follows:—

> "To insure a successful inquiry into a case of this kind, it appears to me that three things are necessary: first, that the inquiry should be made public; secondly, that every statement received should be made on oath; and thirdly, that the relatives or next-of-kin of the deceased should be allowed to be present or represented by counsel."

His action was not free, because he had no faith that the inquiry as ordered would elicit the whole truth. In reference to the statements put forward by the hon. Member for Galway (Mr. Mitchell Henry), the Solicitor General remarked that they were things of the past, whereupon the Home Secretary said "Hear, hear!" He maintained, however, that they were terrible realities of the present hour, as was proved by the recent revelations respecting the prisoners at Spike Island. [In illustration of his case, the hon. Member cited the experiences of James Dillon, who since his liberation, two months ago, had narrated the cruelties to which he said he had been subjected while in confinement. The hon. Member proceeded to describe the kind of work which M'Carthy was compelled to do, and stated that, among other things, he had to carry the meals of 60 prisoners up two flights of stairs, and to convey the slop-pails from their cells down an equal number of steps.] A good deal had been said inside and outside of the House as to the fact that M'Carthy weighed more when he came out of than when he went into prison; but he should like to have information as to the relative weights, and as to the prisons, which were referred to in the statement. What he wanted was to ascertain the difference between the weight of M'Carthy on the day of his release and on the day when he stepped into the dock on account of his patriotism. What they had to consider with reference to the case of M'Carthy was whether, when he was convicted, he was a man of strong and vigorous constitution. He was not about to endeavour to excite the sympathies of the House; but he was bound to say that M'Carthy was not only noted for his bravery on the battle field, but for his courage and activity in all athletics of his regiment. The hon. and learned Gentleman the Solicitor General had said that it was not at all fair to deduce an argument from the fact of M'Carthy not having complained to the prison officials, and also from his not having complained to the medical gentleman he consulted in London after his release. There was a certain negative force in those arguments; but no one could say that because he did not tell everything he felt to those persons, there was nothing particularly wrong with him. The question naturally arose as to whether M'Carthy had complained to those persons who might most naturally have expected to have been taken into his confidence—namely, his own relations. Upon that point there were letters written by his own hand, in which he complained of the treatment to which he was subjected in the prison; and though these communications might have passed surreptitiously, yet he ventured to call the attention of the House of Commons to them as evidence that while Charles M'Carthy was still living, and while there was a chance of saving him, he had complained of the manner in which he was treated. In his letter to Sir James Ingham, he (Mr. O'Connor Power) had said that it was his duty to bring this matter under the notice of the House of Commons, and had called attention to the letter of M'Carthy, in which the unfortunate man said he had come to the melancholy conclusion that nothing less than their lives were aimed at in prison, and that in a cruel and assassin-like manner. In another letter M'Carthy said that in the winter of 1871 he was stripped and compelled to stand naked for five or 10 minutes while the officers were feeling the seams of his clothes. The whole case came to this—that, in the first instance, an inquiry was held by the coroner, and a Dublin jury found—and anyone who knew the composition of a Dublin jury knew that it was largely composed of Conservatives, and that Irish Conservatives had very little sympathy with Irish political prisoners—yet this Dublin jury, without any undue bias, had returned as their verdict that his death, which was caused by heart disease, had been hastened by the treatment which he had received in prison. Every impartial person who looked at the evidence then given by the doctors in Dublin must see that it was actuated by no fear of unpleasant disclosures. Moreover, their evidence was given upon oath, whereas the evidence given not on oath before Sir James Ingham was that of men who were criminally responsible if the result of the inquiry was unfavourable to them. No one, in his opinion, could doubt that the Dublin jury were right, and that the prison officials were wrong, and that through their evidence Sir James Ingham had been drawn to a false conclusion. He could have wished that this discussion had been kept as far as possible within the limits of M'Carthy's case; but as the hon. Member for Galway (Mr. Mitchell Henry), by his Motion, had travelled beyond those limits into the general question of the treatment of political prisoners, they were justified in entering upon that question. He knew that they would be met by the statement that a Royal Commission was at present inquiring into the whole subject of the Penal Servitude Acts, and that before they could come to a resolution involving any decision on that matter, they should have the Report of that Commission before them. But they had as yet had no declaration either from the Secretary to the Treasury or from the Secretary of State for the Home Department on the part of the Government, whether, in its opinion, men who were put in prison for offences which carried no moral stigma ought to be separated from common prisoners. That statement had not been given, and until it was, the Home Secretary must expect to see a Motion of this character brought forward from time to time. However much the official mind of the right hon. Gentleman might be exasperated by the continual accusations brought forward against the prison officials, yet he would ask him to look at the whole question of the treatment of political prisoners to see whether, judging by the example of other civilized nations in the treatment of political prisoners, the cause of the Constitution, of liberty, or of order was in any way served by the vindictive treatment of political prisoners. On the contrary, he knew that the story of the cruelties practised upon political prisoners had excited in the breasts of Irishmen at home and abroad a strong feeling of disgust. If the object had been to foment disaffection, no more certain means could have been adopted than the treatment bestowed upon men whose patriotism had brought them into conflict with the law. The feeling created in Ireland by the story of M'Carthy's sufferings was that of admiration for his courage. The last 13 years had done more to sow the seeds of disaffection in Ireland than the speeches of all the Fenian orators both in Ireland and out of it. He would conclude with the beautiful words of the poet Moore—

> "Far dearer the grave or the prison
> Illumined by one patriot's name,
> Than the trophies of all who have risen,
> On Liberty's ruins to fame."

Mr. ASSHETON CROSS said, that he was not surprised that this case had been brought before the House of Commons, after a coroner's jury had found that the sudden death of M'Carthy called for very stringent inquiry. The question upon which that debate had arisen had proceeded on several separate and distinct grounds. The first question that had been raised was as to the treatment of political prisoners; and the second, the treatment of prisoners generally. With reference to M'Carthy's case, holding the Office he did, he could only say that his sole desire in a matter of that kind was that there should be a most fair and most impartial inquiry into all the circumstances. Therefore, the moment this occurrence took place, he thought it right that an inquiry should be held. He quite agreed that a difficulty arose on one point as to whether the evidence should be given upon oath. But he had no power to authorize the administration of an oath, as that could only be done by the sanction of an Act of Parliament. The next best thing seemed to him to be, in the first place, to find some impartial person, of the highest possible standing, to conduct an inquiry. He did not think that he could have made a more suitable choice, or that he could have found a lawyer more experienced, better known for his impartiality, or one who commanded greater public respect in this country than Sir James Ingham, Chief Magistrate of the Bow Street Police Court. Accordingly, he appointed Sir James Ingham, and he had never heard from the hon. Member who had just spoken, a suggestion discrediting that gentleman's high qualifications. The hon. Gentleman did suggest at the time that a medical gentleman should be appointed as an assessor, and, as he deemed that request a reasonable one, it was at once granted. He (Mr. Assheton Cross) was anxious that there should not be the smallest bias in Sir James Ingham's mind on the matter; and he, therefore, took care not to communicate with him in any way, except to lay the Papers before him. He would ask the House whether a case could be more impartially put in Sir James Ingham's decision, than it was in a letter addressed to him by the Secretary of State, and which would be found in the Papers laid before Parliament? In that letter the Under Secretary wrote that he had been directed by the Secretary of State to forward to Sir James Ingham the depositions taken at the coroner's inquest on the body of Charles M'Carthy, and that he had to request that Sir James Ingham would proceed to the Chatham Convict Prison, and there hold an inquiry into the circumstances of the case, and report thereon to the Secretary of State. The letter further added that the Secretary of State would be quite willing that Sir James should have the assistance of a medical assessor in the conduct of the inquiry, if he should think it necessary. He did not think he could possibly have put the matter more fairly. Perhaps he was wrong in saying that that was his only communication with Sir James Ingham, for he remembered having sent him another letter requesting him to place himself in communication with the hon. Member for Mayo (Mr. O'Connor Power). After having apparently gone fully into the case, Sir James Ingham made a Report, and found, first of all, that the deceased was employed in carrying heavy weights up to a certain time, but that afterwards he was simply employed in carrying very small weights instead. A great deal had been said about M'Carthy's orderly duty. Sir James Ingham said that in addition to his employment in the tailor's shop, M'Carthy had to take his share of the orderly duty once a week, and that duty consisted in carrying, with the assistance of another man, a dinner tray of about 24 lbs. weight a distance of about 10 yards, and up two or three flights of steps. As to the slops, Sir James said that M'Carthy had to take part in their disposal only once a month, and that he then had to carry them to a sink a few yards off on the same landing. On the face of those facts, it could not be said that that was hard work. It had been urged that the weight of a man was generally a test as to whether his imprisonment had been injudicious or not. It had been rightly said that when M'Carthy went to Chatham in 1870, he weighed 152 lbs., and that when he left in 1878 he weighed 154 lbs. But, said the hon. Member for Mayo, what was his weight when he went into prison first of all? Fortunately, an answer could be given to that question. The House knew perfectly well that directly after a person was sentenced he was sent to a Penitentiary for a period of nine months. M'Carthy was convicted in 1866, and after spending the usual period in the Penitentiary, was sent to Portland on the 26th of October, 1867. The prison papers showed that in 1867 he weighed 154 lbs., which was exactly his weight when he left prison in 1878. So far as his weight went, therefore, there was nothing to show that M'Carthy's treatment in prison had been at all unjust or severe. He must, further, call attention to the fact that it was not until 1874 or 1875 that any appearance of heart disease manifested itself in M'Carthy. Nor did it seem to have affected his weight; for, in 1870, he weighed 154 lbs., in 1872, 152 lbs., and when he left in 1873, 164 lbs. It had been suggested that when he was removed from one prison to another, he was placed in a cell not so well suited for a person in his condition. As to that, they had the evidence of the doctor that one cell was as good as the other. The transference of the prisoner from one cell to another was effected in consequence of the necessity that was felt for greater precautions against his escape. But where this was done under orders from the Home Office, express instructions were given that nothing should be done to injure his health. Then it had been said that the cell was of ordinary dimensions, and it must be borne in mind that he only slept there, being employed in the daytime in the tailor's shop. The class of prisoners to whom M'Carthy belonged were not confined in their cells, but were employed in the shops, and put on night duty; and, therefore, it could not be said that he was confined in his cell. Then, it should not be forgotten that when this man left prison, not being well, he consulted a physician. When an inquiry was instituted, a letter was voluntarily addressed to the Home Office by the medical man consulted by

M'Carthy, who stated that fact, and said that the prisoner came to him, and that the advice he gave him was to avoid all excitement, and not to attend political meetings. He could not help thinking that if M'Carthy had adopted the excellent advice given to him his melancholy death might not have followed. He would not go further into the circumstances of the case; but he must say one word for Sir James Ingham, because his fairness in reference to this business had been impugned. He did not think anyone could have conducted the inquiry more fairly or in a more impartial spirit than Sir James Ingham did. The general question of the treatment of prisoners was discussed at some length when the Prisons Bill was passing through the House, and it was found to be a very difficult question with which to deal. The history of penal servitude was in many respects different from that of transportation, when persons had to be kept in close confinement for a long time; the greatest discipline, watchfulness, and care were necessary. However kind the governors might be, it would be always necessary to employ warders, whose patience might be tried in every way, and who could not be watched at every moment. No matter what governors might do, hardship might now and then be unintentionally inflicted. It had been found to be most difficult to obtain good warders. Much of what was going on at the time of the Devon Commission had been remedied; but it might be that there were other things to remedy, and if he had not thought that this was the case, he should not have asked Parliament to appoint another Royal Commission. The question of classification had been found a most difficult one to deal with; because if the worst characters were kept together reform seemed to be almost absolutely hopeless. It would be admitted that when a man became a convict no favouritism could be shown to him on account of his former social position. As to the separation of what were called political prisoners, it could not be effected either by the Secretary of State or by the gaoler. As far as he was personally concerned, he had never heard what a political prisoner was, and only an amendment of the existing law could bring about what was called a classification. As far as these Acts were concerned, a Royal Commission had been appointed to inquire whether an amendment could be made in them, and owing to the illness of one, and the death of the wife of another, the third Commissioner was alone able to be present. The first two, however, remained Members of the Commission, and would still serve. He admitted that great advantage resulted from the visits of Justices to local prisons, and he should not object to the making of similar visits to convict prisons; but before this could be done the matter must be inquired into and reported upon by the Members of the Commission. It had been suggested that the Visitors should have legal advisers; but the opinion of the Visiting Justices had tended rather in the direction of appointing legal advisers—a decision of the recommendation of which he scarcely saw the force, because he should have thought medical advisers more useful. In conclusion, he might say that although the Commission was not appointed to take up any particular case, he had no doubt that if any particular instance of grievous injury came before them they would feel bound to inquire as to it, and give their judgment on the facts.

Mr. MITCHELL HENRY said, he was sorry not to be able to accede to the request to abstain from taking a division.

Question put.

The House *divided*:—Ayes 101; Noes 35: Majority 66.—(Div. List, No. 210.)

Main Question proposed, "That Mr. Speaker do now leave the Chair."

Motion, by leave, *withdrawn*.

Committee *deferred* till *Monday* next.

ADMIRALTY AND WAR OFFICE (RETIREMENT OF OFFICERS) BILL.

(*Sir Henry Selwin-Ibbetson, Colonel Stanley, Mr. William Henry Smith.*)

[BILL 169.] COMMITTEE.

Bill *considered* in Committee.

(In the Committee.)

Mr. O'SHAUGHNESSY moved to report Progress.

Motion made, and Question proposed, "That the Chairman do report Progress, and ask leave to sit again."—(*Mr. O'Shaughnessy.*)

THE CHANCELLOR OF THE EXCHEQUER opposed the Motion.

Motion, by leave, *withdrawn.*

Clause 2 (Limitation of amount of gratuity).

MR. PARNELL moved, at page 2, line 22, to leave out from "with" to "promotion," inclusive. The effect of his proposal would be to make provision for the lower class of clerks who would have compulsorily to resign under the provisions of the Bill.

COLONEL STANLEY said, there could be no doubt that under the measure a somewhat painful process would have to be gone through; and those who had charge of the Bill were desirous of not making that process any more stringent than was absolutely necessary. He could not accept, at a moment's notice, the Motion of the hon. Member for Meath; but he would be glad to be made acquainted with the facts on this subject, which he had no doubt the hon. Member possessed. Meanwhile, the clause as it stood might be allowed to pass *pro formâ;* and, on the stage of Report, the hon. Member could again call attention to the matter, if he thought that necessary. There was every disposition on the part of the Government to look into the matter, and to deal with the whole subject as fairly as possible.

SIR JOSEPH M'KENNA hoped that the course which the right hon. and gallant Gentleman had just indicated would be followed.

MR. PARNELL desired to state that he had not been instructed or communicated with by any of those whom the clause would affect. He simply acted as he had done from a feeling of justice. The clause would leave those who were called supplementary clerks without any retiring allowance whatever.

COLONEL STANLEY said, he was willing to omit the word "all" *pro formâ,* in order to insure that the matter might be discussed on Report.

MR. BIGGAR moved that the Chairman report Progress. Neither the chief of the War Office nor the chief of the Navy appeared to have the slightest notion as to what the effect of the Bill would really be; but, if Progress were reported, those right hon. Gentlemen would be afforded an opportunity of looking into the subject.

Motion made, and Question proposed, "That the Chairman do report Progress, and ask leave to sit again."—(*Mr. Biggar.*)

MR. O'SHAUGHNESSY did not desire to place any obstacle in the way of the Bill; but he thought that Progress might now be reported, as proposed.

MR. W. H. SMITH said, it was very important that the Bill should be passed through Committee as rapidly as possible. The measure concerned the interests of a large number of gentlemen who were seriously disturbed at the uncertainty of their prospects; and it would be most unkind to keep this matter hanging over their heads. The Government were desirous that the change which was necessary should be made in a manner the least painful and injurious to those whom it would affect, and therefore it was advisable that the measure should not be unnecessarily delayed; but, in all the circumstances, he would consent to Progress being now reported, and to the Bill being taken again on Monday.

Committee report Progress; to sit again upon *Monday* next.

House adjourned at a quarter after One o'clock, till Monday next.

* * *

HOUSE OF LORDS,

Monday, 15*th July,* 1878.

MINUTES.]—PUBLIC BILLS—*First Reading*—Weights and Measures * (161).
Second Reading — Charitable Trusts (150); Marriage Preliminaries (Scotland) (149); Supreme Court of Judicature (Officers) * (158).
Committee — Tramways Orders Confirmation (No. 1) (130); Tramways Orders Confirmation (No. 3) (128), *discharged.*
Report—Innkeepers * (160).
Third Reading—Foreign Jurisdiction * (147); Public Health (Ireland) * (133), and *passed.*

THE EASTERN QUESTION—THE CONGRESS—THE TREATY OF BERLIN.

QUESTION.

EARL GRANVILLE: My Lords, I beg to put a Question to the noble Duke the Lord President, of which I have given him private Notice. I have seen it stated that the British Plenipotentiaries will arrive in London to-morrow afternoon; and I wish to ask the noble Duke, Whether he has any further information to give your Lordships as to when the Papers relating to the Congress, which we have been promised, will be laid on the Table, and as to whether Her Majesty's Government propose to make any statement with regard to what passed at the Congress?

THE DUKE OF RICHMOND AND GORDON: My Lords, in answer to the Question of my noble Friend, I have to state that I now place on the Table a map showing the territory restored to Turkey by the Treaty of Peace, and a despatch from the Marquess of Salisbury, inclosing a copy of the Treaty signed on the 13th of July, 1878. In answer to the other Question of my noble Friend, I have to say that we expect that the two Plenipotentiaries will reach London to-morrow afternoon, and that, in the event of their doing so, it is the intention of the Prime Minister to make a statement to your Lordships' House on Thursday.

CHARITABLE TRUSTS BILL—(No. 150.)

(*The Lord Chancellor.*)

SECOND READING.

Order of the Day for the Second Reading, read.

THE LORD CHANCELLOR, in moving that the Bill be now read a second time, said, its purpose was to remedy some difficulties that had arisen in the carrying out of the Charitable Trusts Acts, and of which Notice had been taken from time to time by the Commissioners in their Reports which had been laid before Parliament. The 2nd clause was addressed to charities exceeding the annual value of £50, and allowed the Board to make orders, under Section II. of the Charitable Trusts Act, 1860, other than orders for the establishment of a scheme for the administration of the charity, in the case of all charities, in the same manner as they had power to make orders in the case of a charity, the gross annual income of which did not exceed £50. The 3rd clause made a further alteration in the existing law. Under the Act of 1853, where it appeared to the Board to be desirable to have a new scheme for the application or management of a charity, and where they were doubtful whether the deviation could be carried into effect without the authority of Parliament, they could grant a provisional approval; but the scheme could have no effect unless confirmed by Act of Parliament. Since that time their Lordships and Parliament had adopted a different course. Under the Endowed Schools Acts, if a scheme made by the Charity Commissioners was submitted to the Committee of Council on Education, and if there was no objection, it became law upon being approved by Her Majesty in Council. It was now proposed that the same course should be adopted in the case of the Charitable Trusts Acts, so that a scheme, approved and certified by the Board under those Acts, might be submitted to the Committee of Council on Education, and be dealt with in the same way as a scheme under the Endowed Schools Acts, having a full effect upon receiving the approval of Her Majesty in Council. He did not think there was anything more in the Act calling for a reference from him.

Motion *agreed to.*

Bill read 2^a (according to Order), and *committed* to a Committee of the Whole House on *Thursday* next.

MARRIAGE PRELIMINARIES (SCOTLAND) BILL—(No. 149.)

(*The Earl of Camperdown.*)

SECOND READING.

Order of the Day for the Second Reading, read.

THE EARL OF CAMPERDOWN, in moving that the Bill be now read the second time, said, it proposed to enact that a certificate from the registrar of a district in which the parties lived who desired to get married should be held to be equivalent to proclamation by banns. This would, practically, make the law in Scotland the same as in England. The principal enacting clause was the 4th, which was as follows:—

> "From and after the commencement of this Act, it shall be lawful for all ministers, clergymen, or priests in Scotland to celebrate marriages in that country either after due proclamation of banns, or after such regulation of notice of an intention to marry as is hereinafter prescribed,

and upon production to such minister, clergyman, or priest, either of a certificate or certificates of due proclamation of banns, or of such registration, or of a licence of a justice of the peace, as hereinafter prescribed."

The machinery proposed by the Bill was described in Clause 7, which was—

> "In every case of persons residing in Scotland intending that a regular marriage shall be celebrated or registered between them in Scotland without the proclamation of banns, each of such persons shall, on or about the same date, give notice of the intended marriage to the registrar of the registration district in which he or she have resided for a period of not less than fourteen days previous to the giving of such notice, in the form set forth in the Schedule A. annexed to this Act; provided that when both of such persons reside within the same registration district it shall suffice for one of them to give such notice."

It would be seen that any clergyman in Scotland would now be authorized to celebrate a marriage upon a certificate from a registrar, as he now did upon a certificate of the proclamation of banns. The Bill was introduced owing chiefly to a decision of their Lordships' House, given some three years ago, with regard to the ecclesiastical character of the ceremony of proclamation of banns. In consequence of that, a good deal of uncertainty and religious heart-burning occurred, and many persons incurred much expense and no little inconvenience in the effort to render valid marriages which might possibly be considered illegal. A Bill similar in terms to this one was brought in during the last Session of Parliament, and after being read a second time, without opposition, it was withdrawn in order that the parties interested might have an opportunity of considering it. It had been re-introduced this Session, and in the House of Commons it had been read a second time without opposition. Under these circumstances, he hoped their Lordships would give it a second reading.

Moved, "That the Bill be now read 2^a."—(*The Earl of Camperdown.*)

The Bishop of CARLISLE desired, before the Bill passed to its second reading, to call attention to a difficulty which he hoped the noble Earl would find a method of getting over—a service which would entitle him to gratitude from some whose case he (the Bishop of Carlisle) wished to put before their Lordships. This was the point. Suppose a marriage was going to take place, and the bridegroom lived in Scotland on the Border, while the bride lived in England. The bride had her banns published in the ordinary course in an English parish church, and the bridegroom had his published in Scotland in the Established Church in the ordinary way also. The bridegroom brought a notice from the sessions clerk that the banns had been so published, and therefore the marriage took place. A number of persons had been married in this manner. About a year ago an opinion was given by a noted ecclesiastical lawyer, Dr. Tristram, that such publication of banns in Scotland was not due publication within the meaning of 4 *Geo.* IV. c. 76. In consequence of that opinion—and he had no reason to believe that it was not sound—marriages celebrated in the manner described might possibly be regarded as illegal marriages, and the clergyman celebrating them liable to ecclesiastical censure. This was, therefore, a very practical question. As soon as the opinion was published in the newspapers, persons so married were exceedingly disturbed. Several instances came under his notice, one of which occurred in his own diocese, in reference to which he thought it would be a peculiar hardship if it were held that the marriage was not valid. He did not think, however, that in this case the marriage could, under any circumstances, be pronounced illegal; for the provision of the Act was that persons "knowingly and wilfully" marrying without due publication of banns should have their union declared null and void, whereas, in this case, there was certainly no wilful neglect of the law. At any rate, he hoped the gentleman would be held to be duly married. It would be obvious to their Lordships that a difficulty and anomaly of this character ought not to exist. There was obviously, in the present state of the law, a difficulty as to the marriage of persons who lived on the Border, one residing in England and the other in Scotland, and that difficulty ought to be done away with. He should be the more disposed to press this point, because he observed a very kindly clause in the Bill—Clause 11—which contemplated the case of one of the persons residing in Scotland, and the other not, and where it would be a serious inconvenience to require the latter to reside in Scotland merely for the purpose of complying with the provisions of the Act. In that case, a justice of the peace would be entitled to grant a licence which would have the same force and effect as a registrar's certificate. But this relaxation applied only to cases where the marriage was to take place in Scotland. If it were enlarged, so as to extend to England, the difficulty might be met. In any case, he hoped the Bill would be so modified as to meet the case—a clear and obvious one—which he took the liberty of saying ought to be met. An eminent lawyer, to whom he had put the matter, after he saw the Bill and came to the conclusion that a reasonable opportunity had now presented itself for putting the uncertainty aside, wrote him, saying—

> "I have looked into this matter, and it seems to me that the position of a person who crosses the Border from Scotland to be married by banns in England is one of considerable difficulty, and it would be well if some opportunity for legislating upon this point should be found. I do not think such a person can comply with the marriage law of England as regards the publication of banns."

That was his case, and he was willing to leave it in the hands of the noble Earl (the Earl of Camperdown). He had drawn up some clauses to meet the case, which he would put into the hands of the noble Earl; but it struck him that a slight modification of Clause 11 would more readily answer the purpose.

The LORD CHANCELLOR remarked, that Her Majesty's Government had not offered any opposition to the Bill in the other House of Parliament, nor did they propose to offer any opposition to it in this House. The main object of the Bill was to extend to Scotland—and it seemed desirable to do so—the principle adopted in England of the substitution, if the parties desired it, of a notice given to the registrar, for the publication of banns in a parish church. The noble Earl said the Bill had passed through the other House without opposition, and he was afraid he should have to add that it passed too hastily, and with a sort of understanding that defects in its form would be corrected in their Lordships' House. He purposed submitting Amendments to their Lordships, and he hoped the noble Earl would not fix his Bill for Committee before Thursday week, so that those Amendments might be considered. The right rev. Prelate who had just sat down had referred to a difficulty. He believed it was perfectly correct to say there was some difficulty in regard to marriages celebrated near the Border between England and Scotland. No doubt, it had been the practice where one of the parties lived in Scotland to bring the banns from Scotland, and then, presenting them to a clergyman South of the Border, it was held that there had been publication on both sides. The same thing occurred North of the Border. There had been a good deal of anxiety in regard to the subject, and as to how such marriages should be made valid, supposing the publication to be insufficient. In order to constitute a marriage in Scotland free from Church censure, there must be a proper publication of banns. It was not too much to say there was some doubt as to whether, under the circumstances indicated, marriages South of the Border could be considered legal. He had directed that clauses should be prepared to meet the case on both sides, not only for the future, but as regarded the past.

LORD SELBORNE said, it was a matter of regret that the discrepancy between the marriage laws prevailing in the different parts of the United Kingdom should continue; though he was not prepared to object to legislation such as that now before the House, for the purpose of remedying minor evils, in the absence of any great measure to place upon a consistent and harmonious basis the whole marriage law of the United Kingdom. More than 10 years had now passed away since a Royal Commission reported upon that subject; and he believed that, in their Report, a true basis for such a measure might be found. But it was a misfortune of the times in which they lived, that any large or comprehensive legislation on those subjects which touched most closely the highest interests of all classes of men, seemed to be impossible, unless some popular or political excitement could be got up about them. The importance of uniformity in the marriage laws of the United Kingdom was a subject which was constantly brought under the attention of those who were concerned with the administration of the laws of the country. From year to year cases arose which showed forcibly the necessity of an alteration in the law. Her Majesty's Government could not better use the great power of which they seemed likely, for some time to come, to be in possession, than by taking up this question.

THE EARL OF CAMPERDOWN expressed his willingness to improve the Bill in Committee.

Motion *agreed to.*

Bill read 2ª (according to Order) and *committed* to a Committee of the Whole House on *Thurday* the 25*th instant.*

THE ISLAND OF CYPRUS—SANITARY CONDITION.

QUESTION. OBSERVATIONS.

LORD ORANMORE AND BROWNE said, he wished to draw attention to a subject which would, doubtless, come more formally before both Houses of Parliament and form the subject of general discussion, when the negotiations between this country and Turkey came to be considered. He desired to ask a Question on a matter of detail, which was, at the same time, one of a pressing importance that they could all apprehend. A statement had gone abroad, to the effect that Cyprus was not a healthy island. Only a few days ago, *The Pall Mall Gazette* said, that though of immense importance by reason of its position, the Island of Cyprus appeared to be unfortunately situated so far as climate was concerned—while the cold was severe in winter, the heat in summer was described as intolerable, giving rise to a sort of malaria, which prevailed to a great extent. Certainly, the Island of Cyprus seemed an unfortunate position to have selected, seeing that its climate was so deadly, owing to excess of heat. This morning, a letter appeared in *The Times,* from a Member of the other House, saying that Larnaca, where our troops were now going, was the Turkish for "coffin," so deadly had the place proved to the Turkish troops in the garrison. They had to consider that many English troops were now there, or would shortly be there, as well as Indian troops, and that this was the worst season of the year, owing to the prevalence of malaria, for their occupation of such a position. Though our brave soldiers and sailors might be enabled to face the enemy here on more favourable terms, they must all recognize the fact that they could not face a deadly climate. They all knew the unfortunate result of the Walcheren Expedition. He thought it would be a great misfortune if any feeling of false pride on the part of Her Majesty's Government made them hesitate to negotiate with the Turkish Government for a more healthy station for our troops until such sanitary measures were adopted as would better prepare Cyprus for occupation. He did not wish in any way to blame Her Majesty's Government, and for this reason. We had in our Constitution this curious anomaly, that the whole responsibility of making Treaties fell upon the Government for the time being, while Parliament at the same time would not permit preparations of a military character for carrying them into effect without a reference to itself. Therefore, if any want of foresight had occurred in this matter, no great blame would attach to the Government. If the country ultimately found that the Island of Cyprus was more healthy than they had been led to believe they would be all the more satisfied; but he did not think they would like to see the Government wanting in the courage to negotiate for a more healthy station for our troops until full inquiries were made on this subject, and due provision also made for the reception of our troops and the Fleet. He begged to ask Her Majesty's Government, Whether they can contradict the statement that had appeared in some journals as to the unhealthiness of the Island of Cyprus?

THE DUKE OF RICHMOND AND GORDON: I cannot admit what the noble Lord seems to infer—that there has been any want of forethought on the part of Her Majesty's Government; nor can I admit that there is any necessity to enter into any such arrangement with the Turkish Government as the noble Lord seems to recommend. The opinion which the noble Lord has formed as to the unhealthy state, as he seems to consider it, of the Island of Cyprus, is formed, I gather, from the statements of some article in *The Pall Mall Gazette.*

LORD ORANMORE AND BROWNE: And other papers.

THE DUKE OF RICHMOND AND GORDON: Of course, I am not able to say what are the other papers to which the noble Lord alludes. Their information, however, certainly does not coincide with that which Her Majesty's Government have had. Our information has certainly led us to believe that disease there, both as regards frequency and character, does not amount to three-fifths of the disease in Europe. I also have had the opportunity of reading one of the most eminent journals of the day—probably as well written, and having as good information, on this subject as any of those journals to which the noble Lord refers—and I will quote from it, as the noble Lord has quoted from *The Pall Mall Gazette.* This journal says the island might be a splendid garden; that from the extraordinary variety of its climates it might be a sanatorium for the invalids of Europe; and it would be well if the interesting experiment could be tried of establishing a European Colony there. I hope that will be found to be a more correct description of the Island of Cyprus than that the noble Lord has given.

EARL GRANVILLE: I do not think the question will be settled by pitting one newspaper against another. Her Majesty's Government were bound, before taking such an important step as that of sending troops there, to have obtained the best official information upon the subject. The other day I asked the Question, whether there was a harbour at Cyprus? and the noble Duke answered that there was no harbour in the widest acceptation of the word, but that there was an excellent roadstead. I found that the same Question was put in "another place," and the reply was, that although there was no harbour in the technical sense, there were excellent anchorages with easy access to the shore on all sides. Now, I have had some information—I do not say it is superior to that which the Government claims—but I will mention it, in order that they may be induced to make inquiries on the subject. The information I have in regard to the harbour is, that there is no harbour at all in the popular sense of the word; that the roadsteads are quite open; and that, so far from the shores being easy of access, it is exceedingly difficult to pass from one side to another. In regard to climate, the information I have received is that both air and water are exceedingly bad, there being hardly a spring in the island, and the air being of the most pernicious character. I trust that this information is wrong; but, if there is any doubt upon it, I trust the Government will not take the step of sending both Indian and European troops there to test the wholesomeness of the air and water, without first taking some steps to make the place fit for their reception.

THE DUKE OF RICHMOND AND GORDON: I regret exceedingly—it must have been my fault—that I did not make myself clear in the answer I gave to the noble Lord, or that he did not understand what I said. I divided my answer into two heads. First of all, I said that the information which Her Majesty's Government had received was to the effect that disease in the island, both as to frequency and as to character, did not relatively reach three-fifths of the disease in Europe, or even in Italy. The information which Her Majesty's Government has received is, therefore, that, on the whole, the climate is healthy. In the second place, I thought it fair, as the noble Lord had founded his statements upon a quotation from *The Pall Mall Gazette*, that I should quote another journal.

LORD ORANMORE AND BROWNE: Name!

THE DUKE OF RICHMOND AND GORDON: If the noble Lord wishes to know the journal from which I quoted, I may say it is a well-known journal published weekly—*The Spectator*.

POOR LAW AMENDMENT ACT (1876) AMENDMENT BILL—(Nos. 99, 153.)

(*The Earl of Shaftesbury.*)

Commons' Reasons for disagreeing to some of the Amendments made by the Lords, *considered* (according to Order).

THE EARL OF SHAFTESBURY said, it would be in the recollection of their Lordships, that their Lordships had struck out of the Bill the words "pauper or," the object of that Amendment being to prevent friendly societies paying to the relatives of any pauper who was not a lunatic his accumulations in their funds. As having charge of the Bill, he much regretted that Amendment. The Commons had disagreed from it, and he hoped their Lordships would not insist on it.

Moved, "Not to insist on the Amendment to which the Commons have disagreed."—(*The Earl of Shaftesbury.*)

EARL FORTESCUE said, he did not wish to speak disparagingly in any way of the most illustrious Representative Assembly in the world; but the readiness with which Members on both sides of that House had accepted a reversal of the principles which had characterized Poor Law legislation for nearly half a century was so remarkable that he could not help remembering that the organization of friendly societies was very widely diffused throughout the country, and its efficiency such as would render the votes enjoyed by members of those societies rather formidable at an Election. He sincerely hoped that their Lordships would abide by their Amendments. The matter appeared to have been but very slightly discussed in the other House. The first Amendment, the Commons stated, would render inoperative the immediate policy of the Bill; but that policy, as he had said, involved a reversal of the Poor Law legislation of successive Administrations ever since the year 1834. He quoted a speech delivered recently to, and applauded by, a meeting of the Manchester Unity of Oddfellows at Suffolk, by Mr. Daynes—

> "We had a Poor Law in England, the avowed intention of which was to prevent any human being wanting food, raiment, and shelter; but the human being to need food, clothing, and shelter at the public cost must be without property. What more reasonable than that the tax levied on all classes should only be applicable to the relief of those without means? But in the case of a man without a family, who had no one dependent on him, the proper persons to receive that money would be those who took charge of and maintained him, whether he was a lunatic, or incapable of working. The more closely the matter was examined, the more the justice of it would be seen."

This view of the matter was supported by the Report of the Poor Law Inquiry Commission (page 272)—

> "At this point (of relief) as on many others," says the Report, "the independent labourers may be our best teachers. They adopt and enforce most unrelentingly the principle that under no circumstances shall any member of their societies receive relief while earning anything for himself."

Mr. T. Platt was asked whether, in the rules for the management of friendly societies, framed by the labouring classes themselves, he had ever found any for the allowance of partial relief, such as relief in aid of wages, or on account of the number of the family? He answered —"No, I never met with an instance." Their penalties for continuing on the sick roll after they had become able to work, he stated, were—

> "In all cases, utter expulsion and enforcement of the repayment of the money, from the period from which it was proved the party was able to work. I have known them expel a party for stirring the fire, or putting up the shutters of his window, at the time he was in receipt of the allowance."

He had on a previous occasion explained as to pauper lunatics that their prospects of cure would be liable to be impaired by the dread lest their families should have to be maintained by the Guardians, while they themselves were in the Lunatic Asylum; and the Lunacy Act of 1853 had dealt with them accordingly on the same principles as this Bill did. Even though the result of their disagreeing with the Commons should be to make the Bill be given up this Session, this would, at any rate, insure it a more careful and fuller consideration by the other House on another occasion.

VISCOUNT CRANBROOK said, that having voted against this Amendment on a former occasion, he supposed he came under the ban of the noble Earl's displeasure, as having been formerly President of the Poor Law Board. He admitted that if this measure was looked at as a Poor Law measure, it was inconsistent, to a certain extent, with the strict and hard principle of the Poor Law. But the noble Earl had given up this hard principle in admitting the pauper lunatics to the benefits of this Bill. As the Bill had stood, there was no longer in it a strict adherence to the Poor Law. The only case in which this exemption would act would be when, under the pressure of some calamity, a pauper happened to be placed in the same condition as a pauper lunatic—some occurrence that necessitated his removal to the workhouse—and when, not wishing to pauperize his whole family, they might allow it to have the benefit of the money he had saved in the friendly society by his thrift. There was such a thing as pedantic adherence to rule. As their Lordships had given up the pauper lunatic, they might give up the pauper also. The Guardians would still be able to say they declined to relieve him, and would throw him back upon the money he had saved. Why not be content with this discretion as a safeguard? Why should the family of a man, who got his arm or leg broken say, and who, owing to the want of proper provision for his treatment at home, was removed to the workhouse infirmary, be deprived, while he was being cured, of the small pittance he had obtained by his thrift? Parliament had already interfered with the strict carrying out of the principle of the law on behalf of these friendly societies, and had given them certain privileges; and surely it was no great hardship or wrong to allow them to pay their money in the way that was most convenient for them? Even were they to pass this Bill with their Lordships' Amendments, the friendly societies could, if they liked, frame rules that would baffle the Poor Law administration. They did not wish to evade the application of their money to the succour of afflicted people; and he did not think, in the special circumstances of the case, their Lordships should insist upon so very strict an adherence to the principle of the Poor Law.

EARL GRANVILLE said, it might be fairly admitted that the provision favoured by the Commons was contrary to the principles of the Poor Law, and he thought the House had reason to complain a little of the action of the Government in the matter of this Amendment. As he understood, it was brought forward in the other House at so late an hour that it was impossible to fully consider it. But while it was a breach of the principle of the Poor Law, he was bound to say, at the same time, that the Government, having decided to support the Mover of the Bill, and to take the responsibility of this change, he did not think it would be wise to disagree with the Amendment of the House of Commons.

THE EARL OF REDESDALE hoped the House would not follow the advice just given them. It had been the deliberately expressed opinion of both sides of the House that this exemption of friendly society funds should not receive the assent of Parliament. There was a difference in the circumstances affecting the pauper lunatic and the pauper. The pauper lunatic was maintained at great expense, and, consequently, the whole amount that could be obtained would not suffice to maintain him in the lunatic asylum. It should be borne in mind that the altered form in which the Bill now came before their Lordships placed it in conflict with the immediate policy of the Poor Law. The policy of the Bill as it came back from the Commons was to destroy the principle of the Poor Law, and he hardly thought their Lordships would take such a grave step in a manner so very hasty. Their Lordships, he held, were bound to adhere to their Amendments, which were in accordance with the law which had now for a long period been established in this country.

THE EARL OF MORLEY entirely differed from the noble Viscount (Viscount Cranbrook), who had described the opposition to the Bill as pedantic, and contended that it was of vital importance that they should adhere to the principle of the Poor Law. When they diverged from it, they got into grave dangers, and with that view he should vote for the retention of their Amendments.

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Resolved in the *Affirmative.*

And a Committee appointed to prepare reasons to be offered to the Commons for the Lords insisting on their amendments: The Committee to meet *forthwith*: Report from Committee of reasons prepared by them; read, and *agreed to*; and a message sent to the Commons to return the said Bill with the reasons.

TRAMWAYS ORDERS CONFIRMATION (No. 1) BILL—(No. 130.)

(*The Lord Henniker.*)

COMMITTEE.

Order of the Day for the House to be put into Committee, read.

Lord HENNIKER, in moving that the House resolve itself into Committee on the said Bill, said, their Lordships might desire to hear shortly the course which the Board of Trade had taken in this matter. Their Lordships were, no doubt, aware that these Bills confirmed various Provisional Orders for making tramways in many parts of the country, and gave authority to work them by steam. Although the Tramways Act (1870) provided for giving authority to work tramways with other than horse power, yet it was not until 1876 that the Board of Trade inserted in any Provisional Order "steam or other mechanical power." An application for that purpose was received in that year from the Wantage Tramway Company. After very careful consideration, the Board of Trade determined to proceed with it, at the same time making a special Report to Parliament upon the subject; and they further called the attention of Parliament to the matter by placing the Order in a separate Confirming Bill. In the same Session, Parliament, by means of a Private Bill, gave similar powers in the case of the Vale of Clyde Tramway, in which the Board of Trade obtained the insertion of very stringent precautionary clauses. Both the Vale of Clyde Tramway Bill and the Wantage Provisional Order passed through Parliament without discussion. In the following Session—1877—there were many applications by Bills and Provisional Orders for power to use steam on tramways, and a Select Committee of the House of Commons was appointed to consider how far and under what regulations the employment of steam or other mechanical power might be allowed upon tramways on public roads. The Committee, after taking much evidence, reported that they were of opinion that the use of mechanical power on tramways should be generally permitted, but that any Bill or Order granting such power should contain clauses providing very stringent conditions, which were specified in their Report. The Committee also recommended that, in order that local authorities or persons interested in the improvement of mechanical power on tramways might have an opportunity of trying experiments without infringing the law, a short Act of Parliament should be introduced, enabling the Board of Trade to grant permission to try experiments on any tramway, on the application or with the consent of the local or road authorities, for such a limited period and under such regulations as the Board of Trade might direct. In consequence of that recommendation, the clauses to authorize the use of steam were struck out of all the Private Bills and Provisional Orders of that Session, and a short general Bill, in accordance with the recommendations of the Select Committee, was introduced. That Bill, however, did not pass. In the Autumn of last year there were again many applications for the use of steam power on tramways. After much discussion and consideration, it was determined to deal with each application on its merits, and then to refer all the Private Bills and Provisional Orders authorizing the use of steam on tramways to a Select Committee, who should decide whether steam should be used or not, and, if sanctioned, under what uniform conditions and regulations. That course was adopted, as it was foreseen that, unless all Bills and Orders were referred to the same Committee, different decisions would be arrived at, and interests would be created, which it would be difficult to disregard, if, at any future time, in the interests of public safety and convenience, or for financial reasons, it might be thought necessary to legislate generally on the subject. As the local authorities had in each of the applications of this Session expressed their assent to the proposal for the use of steam, and were, in several cases, promoters themselves, the Board of Trade inserted steam powers in these Orders; but, at the same time, introduced very stringent clauses for their regulation. In consequence of the decision he had already referred to, all the Bills and Provisional Orders were referred by the House of Commons to a Hybrid Committee of nine Members, who were instructed to consider—

> "Under what conditions, if at all, the use of steam or other mechanical power might be authorized upon tramways."

The Committee sat for 20 days, and took evidence; during which time they examined into the respective merits of each individual scheme, and subsequently issued a Report, in which they recommended the use of steam, and thus confirmed the decision of the Select Committee of last Session. They also amended the Bills and Orders by inserting uniform regulating clauses with respect to the public safety and convenience, and also with regard to the consents and financial position of the local authorities, and as to tolls and agreements. They also laid down the principles which they thought ought to be adopted in settling all Bills and Orders by Parliament when dealing with the question. These might be stated shortly:—1. That the use of mechanical power on tramways should not be discouraged. 2. That there should be perfect freedom of contract, as far as agreements were concerned, between the promoters and the local authorities, subject to an appeal to the Board of Trade. 3. That there should be a power of revision of tolls at the end of five years. 4. That the Railway Commissioners should have power, as in the case of Railway Companies, to deal with all questions relative to the facilities of traffic. 5. That, considering the tentative nature of the question, all agreements under which steam was sanctioned should determine at the end of seven years. 6. That the Board of Trade might, at all times, make such bye-laws and regulations as might be necessary for public safety and convenience; and that if these regulations were disobeyed, the Board of Trade might stop the use of steam. Such was a short account of the course which had been taken by the Board of Trade in the matter. In so acting, they had carried out the recommendations of the Select Committee of the House of Commons of last Session, and had, by the Amendments made in the Provisional Orders now before their Lordships, adopted the recommendation of the Hybrid Committee of this Session, who expressed themselves in favour of a means of transit which was evidently felt to be a want to the travelling public in many parts of the Kingdom. When the Confirming Bills came back from the Committee to the House of Commons, a debate followed in which the Chancellor of the Exchequer and the President of the Board of Trade both took part and spoke in their favour; and, ultimately, upon a division, they were carried by the large majority of 97, the numbers being 216 to 119. Under these circumstances, he had to express a hope, on the part of the Board of Trade, that their Lordships would allow these Bills to pass. The promoters had already been put to very great expense, owing to the action of Parliament during the last two Sessions; and after the inquiry which had been held by the House of Commons, they might fairly hope that, as they had had the consents of the local authorities, in whose districts their lines would run, and had very onerous restrictions and regulations imposed upon them by the House of Commons, no further opposition would be put in the way of giving the public a new mode of locomotion. It was important to point out that by the terms upon which the Bills and Orders had been granted, the use of steam could be put a stop to at any moment, should it be found in practice to be unsafe or inconvenient. In conclusion, he reminded their Lordships that, should they think it desirable in any way to amend these Bills, by introducing further restrictions in the interest of the safety and convenience of the public, or with the object of bringing them more directly under the provisions of any future general legislation, there would be no difficulty in introducing such changes in Committee, and he said that the Board of Trade would be glad to render any assistance in the matter, which it might be in their power to afford.

Moved, "That the House do now resolve itself into Committee."—(*The Lord Henniker.*)

THE EARL OF REDESDALE, who had given Notice on this Motion to move—

> "That the Committee be deferred to a later day, and to submit to the House reasons against agreeing to provisions which will be held to sanction the general use of steam power on tramways without further consideration,"

said, his object was to procure for the subject a little more examination. He did not think it had been sufficiently considered by all parties in this country, nor did he think that any change going to the extent to which the principle of these Bills might be forced, if they were carried, should be introduced without, upon the occasion of their first introduction, mature deliberation and the adoption of necessary safeguards and precautions. If they read the Bills without taking some such step, it would be a distinct admission that all parties who constructed tramways might use steam upon them. The Bills before them simply allowed the making of a railway with a steam locomotive upon a turnpike road. That was, practically, what it came to. There was one proposal that a line should start from a great railway terminus, to run through a country upon a perfectly level turnpike road, and a road, therefore, very easily made practicable for steam purposes, whether railway or tramway. This line would run for about 10 miles into the country. Let them agree to this, and it would prove only the first of a long series of similar projects. Now, it was very important for them to consider whether they were prepared to have what were, practically, railways running alongside their roads, without any fences to protect those roads. No doubt, under the regulations introduced by the House of Commons the other day, they could not travel at a more rapid rate than 10 miles an hour. But the point was that they got power to come upon the roads with steam, and it was just a chance where or how the extension of their powers would be arrested. Pass the Bills, and there was the railway on the public road. Now, they should consider the relative positions of the Railway and Tramway Companies. The latter got for nothing the soil for which the Railway Companies paid, often pretty sharply. At present they confiscated a portion of the public highway where in many cases it was not very wide. In regard to tramways, in general, they took the centre of the road, in order that parties living on each side might have a siding to their property free from any interruption of this sort. But one of the schemes before their Lordships allowed the tramways to go on one side, the property on which side would of course be much interfered with, while a railway was found running close to the other side. That would certainly be very inconvenient for the owners of this property if they wanted to build upon it. He repeated that this point had not been sufficiently considered, and if these tramways were made, steam would be used upon them, because they were simply asked to allow of the construction of railways upon the highroads without the restrictions which were imposed upon railways. These tramways were open to other objections. It was said that fares would be moderate, but there was no condition upon the subject. Then, with respect to tolls, they seemed to be open to very serious question; and he saw, for instance, that the toll on coal on one line was 3*d.* a-mile, while upon the railway where the coals were delivered only 1½*d.* was charged. These were only a few of the matters calling for consideration, and he trusted the House would be very careful about establishing a principle so fruitful of inconvenience. He did not desire to defeat the Bills if cautiously framed, and he had not thought it desirable to make a definite proposal to their Lordships; but he considered it desirable to have an expression of opinion upon the part of the House. What he desired was to see the Bills adjourned, so that some necessary provisions might be inserted, or that they might consider whether a common and general measure should be adopted with reference to all tramway schemes.

THE EARL OF MORLEY said, he felt that, in consequence of the manner in which the questions involved in these

Bills were presented to their Lordships, they were precluded from giving any opinion on the principle of them. The whole question, in fact, was in an experimental stage. He believed he was right in saying there were only two tramways in the Kingdom on which steam was used—Swansea and Wantage. The case of Swansea was a peculiar one, as there steam was allowed to be used for a certain time under the sanction of the Board of Trade; and there had been, he believed, a decision of the Court of Chancery which limited the conditions of its use. These exceptional cases showed how little was known of the subject; and he ventured to think that their Lordships, in passing these Bills, would be giving their sanction to a principle which might be fraught with a great amount of evil. Local authorities were, in many instances, shareholders in these undertakings, and their interests would induce them very often to favour them unduly. He thought that, even if these Bills passed, there should be something stronger than the control of the local authority, and it appeared to him that it should be that of the Local Government Board rather than that of the local authority. The local authorities throughout the country were, in his opinion, a very unfit body to be intrusted with the large experimental powers about to be given by these Bills. He did not at all wish to oppose the suggestions of the noble Earl the Chairman of Committees; but, at the same time, the subject was one of such magnitude and importance that it should be dealt with by some special Act of Parliament, which would enable them to express a direct opinion on the questions involved, and not by such Bills as they now had under consideration.

Lord HENNIKER said, the noble Earl at the Table had held that he did not wish to defer the consideration of these Bills too long, that they would be defeated by lapse of time. He had no objection, however, to postpone them for a week or 10 days; but he thought they should not be longer deferred. The promoters had already been put to much inconvenience and expense by the action of Parliament, and it would only be fair to them to come to a decision as soon as possible.

The Earl of CAMPERDOWN said, he should be sorry to interfere with the interests of tramway promoters, but their Lordships should recollect that whatever they did now would be a precedent, and would be quoted hereafter as such in the promotion of similar undertakings; and if they passed these Bills now, which might or might not be wise Bills, they would establish a precedent against themselves that would be quoted by every set of private promoters, and the consequences might be most injurious to the public. There was one question he should like to ask the noble Lord opposite in the interest of the public. Taking into consideration the fact that they were going to allow these Tramway Companies the use of steam for locomotive purposes, they ought to endeavour to secure a portion of the advantage for the public. As their Lordships would recollect, up to the present time every single tramway that had been sanctioned had been sanctioned as a tramway to be used with animal power; and their Lordships would see that, if they once sanctioned the use of steam power on tramways, all the systems in operation would be coming to Parliament to ask for power to work their lines by steam. The result would be that those tramways now authorized to be worked by animal power would then use steam, and the companies would put into their pockets the difference of cost between working by steam and working by horse power. He concurred in the remarks of the noble Earl at the Table, but did not understand from him in what way he proposed, within a period of only a week or 10 days, to arrive at a general decision on that question of employing steam power on tramways. Let them recollect that, whatever they did now, they would be doing once for all, and that they would have only themselves to blame for any unfortunate results. He thought the better course would be to postpone the Bills for the present Session.

Motion (by leave of the House) *withdrawn;* and Order for the House to be put into Committee, *discharged.*

Then—

TRAMWAYS ORDERS COMFIRMATION (No. 3) BILL—(No. 128.)

(*The Lord Henniker.*)

Order of the Day for the House to be put into Committee, *discharged.*

THE EARL OF CAMPERDOWN observed, that their Lordships must understand that he reserved to himself the right of moving the rejection of the Bills when the Motion was again made for going into Committee upon them.

ARMY (INDIA)—THE INDIAN STAFF CORPS.—QUESTION.—OBSERVATIONS.

LORD WAVENEY, who had given Notice of the following Questions to the Secretary of State for India:—

> "1. The number of British officers attached to each regiment of native infantry, and their duties; 2. Whether such officers are borne at the same time on the strength of the Indian Staff Corps, with the advantage of progressive promotion in that corps; 3. The general duties and distribution of officers of the Indian Staff Corps not being attached to regiments of native infantry; 4. Whether promotion in the Indian Staff Corps is progressive in a fixed ratio?"

said, that in consequence of the recent changes in our military system, and of the new position which our Indian Army had assumed with respect to the European Forces of Her Majesty, it seemed to him expedient, and, in fact, absolutely necessary, that he should ask the Questions of which he had given Notice. They related to matters of administrative detail, as to which, while there had been an immense amount of honest labour and searching inquiry devoted to them, there nevertheless still remained a difference of opinion very unusual among professional men. The new employment of Native Indian troops gave increased importance to the subject to which he now desired to address himself. By a foresight which was beyond all praise, a magnificent position had been selected in the Mediterranean for the occupation of those troops, which might be very advantageously employed. Were the object in view the occupation of other positions, or an expedition to the mainland, which was to terminate in a campaign or a limited period of operations, it might then, perhaps, have been well to remit the further consideration of these questions to the authorities. Looking, however, at the character of all the circumstances under which Europe lived now, it was highly improbable that this position would be abandoned for any such purposes as he had adverted to. As he had observed, of all the Islands of the Levant, so far as reputation went and actual experience had proved, the Island of Cyprus was peculiarly well adapted to the objects for which it had been selected. It lay across the great road by which Ibrahim Pasha advanced towards Constantinople; it lay also against the great Syrian road; and was full in front of any advance upon that Southern frontier which, as they were told in authentic documents, it was the object of Her Majesty's Government to protect. It would seem these operations, as they learnt, again from official documents, were a portion of a scheme yet to be established, by which we should show to other Powers our determination to protect our national interests in the East. He hoped, however, that the circumstances that had rendered this step necessary had now come to a termination, and that all further labours of the kind might be very remote. They found that a considerable portion of the Force that was to hold this vantage ground was brought from Her Majesty's Possessions in India. The subject to which he now called attention, and which, for greater convenience of reference, he had divided into two portions, was one that had occupied successive Governors General of India, and the distinguished officers who commanded the Armies of the Presidencies. With regard to the first point—the numbers of British officers attached to each regiment of Native Infantry, and their duties—it was one on which he desired to seek some explanation with regard to the present state of the regulations in that respect; for it had been stated in speeches, if not in official documents, that a considerable amount of relaxation had been introduced into the administrative and tactical duties of British officers attached to the Native Infantry; and a distinguished officer, who had served twice in India—once in a campaign and once in the discharge of duties as Major General—distinctly stated that the position of the European officer was not in any way analogous to that which he had held in Her Majesty's British Army. He said, for instance, that the tactical arrangement and management of the Native Infantry, in his view, was left entirely to Native officers, while the duty of the European officers was reduced to that of mere supervision. He also mentioned a particular instance of the working of this change. He (Lord Waveney) did not propose to go into the Cavalry question, which was separate from the present one, and open to various interpretations; but it seemed to him, from a remarkable Paper that was laid upon the Table of the House last year, that the Cavalry system was in that respect very much assimilated to the Infantry system—that was, that the duty of European officers was limited to supervision. Whether that was advisable or not, was a question, undoubtedly, open for consideration. It might have been necessary for purposes of instruction, by making the Native officer perform his duties by the side of the European. He wished to guard himself most jealously against even hinting at any imputation on the loyalty or the friendly disposition of the Infantry Native officers; but, as he understood, the Infantry Native officer had risen from the ranks, and arrived at last at his command, and that that command was one from which European officers were practically removed. There had been many differences of opinion with regard to the number of European officers that should be placed in that position of supervision. According to some authorities, seven were quite sufficient for each regiment; but a distinguished officer, a friend of his, considered that there should not be fewer than 16. Well, it was necessary that Government should know something of this subject, and that it should be settled at once, and for all; because, in the development of the policy of which he spoke, Her Majesty's troops, and their Indian comrades, would be brought in line with one or two of the warlike races of Asia. That brought him, now, to the other Questions, of which he had given Notice, and which he believed to be difficult of explanation. They related to India again. As he understood the subject, when the unhappy Mutiny broke out, the officers on the Indian Army List were taken into the General Service, and, to a certain extent, detailed for duty in the Infantry regiments of which he spoke. He did not wish to go into the financial puzzle of the Indian Staff Corps, which was a much larger question than he felt himself able to go into then. But, however that matter might be, it came to this—that we had now, as a portion of our European Army —though we maintained with regard to them a geographical distinction—troops raised, governed, and administered on a system different from that which had prevailed throughout the Service hitherto. They had, then, to unify and bring together, on one principle of administration, the troops raised from one recruiting field and those raised from another. That the matter was capable of adjustment, there could be no doubt; but at present there was a deficiency in the unity that was desirable in such circumstances, which might be of no great consequence in ordinary times; but which, in the event of the system being subjected to a great and sudden strain, or of its being necessary to despatch an Expeditionary Force, would show itself with a clearness and a distinctness that would leave no doubt as to the necessity for that unity which he desired. Those were the points on which he desired information from the noble Viscount the Secretary of State for India. It was necessary that some conclusion should be arrived at. It had not been arrived at at present, as was clear from the Reports submitted to the Government of India last year and the year before; and he begged, therefore, to put to the noble Viscount the Questions of which he had given Notice.

Viscount CRANBROOK, in reply to the noble Lord, said, he was glad to have an opportunity of answering the Questions he had put to him, in the presence of the illustrious Duke who had so recently seen those Indian troops, and who knew the state of efficiency to which they had been brought by Native officers; and he could not but think that the present was an unfortunate time—though the noble Lord had said he would not even hint at any depreciation of the qualities of the Native officers—for calling attention to the numerical inferiority of European officers in the Native Infantry regiments, and leading their Lordships to the supposition that each regiment needed 16 European officers. For that view, the noble Lord had cited the authority of a military friend, whose name he had not mentioned.

Lord WAVENEY: Sir Frederick W. Haines.

Viscount CRANBROOK: His noble Friend, however, had not given any attention to the Report of last year, or he would have seen that that Report gave a satisfactory answer to almost every Question he had put. In all these matters concerning the Indian Army, no changes ought to be thought of until they had come to the conclusion that in making changes they were proceeding upon safe bases. At present, all was surmise, and conjecture, and doubt, on the part of those who found fault with the present system. The ground on which our Indian Army at present rested was fixed in 1864; and since that time these Indian troops had served in the Abyssinian campaign, in several great actions on the Frontier, and also in the Perak Expedition, and now they had seen these same troops volunteering with alacrity for service at Malta. He wanted to know, therefore, what deficiency it was in the conduct of Native Infantry officers that required them to make the changes shadowed out in the speech of the noble Lord? In reply to his first Question, he had to state that to each Native Infantry regiment were attached seven British combatant officers. It was true that in the regiments at Malta there were nine; but the extra number was provided because it was deemed desirable to have a supply of officers in reserve to meet any contingencies that might arise. Of these seven officers, one was the commandant, and two were wing-commanders, or majors, and four army officers, of whom two were the adjutant and the quartermaster. The duties of the commandant, adjutant, and quartermaster were those ordinarily attaching to those posts, and it was unnecessary for him to detail them. The wing-commanders were, as their name implied, responsible to the commandant for the discipline and efficiency of their respective half-battalions acting through the company commissioned officers—namely, the Native captain and lieutenant. They were also the paymasters of the wings, and were responsible for equipments being maintained in a good state. They were also responsible for the musketry instruction of the officers and companies under them. On parade they took the place of the majors of British regiments, and commanded their respective half-battalions when detached. The two wing officers were the subalterns of the wing-commanders, though available for any duty, detached or otherwise, for which the commandant might appoint them. They assisted the adjutant in drill, or they acted as adjutant to a detached wing. They were, in short, the subalterns and the reserve of the British Regimental Staff. The noble Lord asked him further, whether those officers were at the same time borne on the strength of the Indian Staff? He must answer that Question in the affirmative. Formerly, young English officers who went out for training were attached to those regiments; but that had now been changed. All the officers must now know the language of the troops, and must be thoroughly instructed before they took their place there. The consequence of this change had been that regiments were in a higher state of efficiency than they had reached at any previous period; while, with respect to their loyalty, nobody could throw a doubt upon it at the present time. He had been very much struck that morning with an article which Lieutenant General Vaughan sent him, on the Indian Expeditionary Force. He said—

> "Here I take leave to record my very decided and deliberate opinion, that in fixing the establishment of English officers at the above scale, the Indian Government has done wisely, and that efficiency has been in no way sacrificed to economy. I am well aware that some, whose opinion is entitled to respect, think otherwise, and contend that, to make a Native regiment efficient for a campaign, there should at least be an English officer at the head of each company. This is, of course, to deny the ability of the Asiatic to lead a company of men into action; and I should like to know the ground upon which such a denial is based? Many of us in the course of our Indian Service have, of course, seen the Native officer in a great variety of circumstances, both in battle and in quarters, and we smile to be told that such veterans as we can call to mind ought to be put on one side, to make way for the raw—even though gallant and promising—English lads, with whom we should, of necessity, replace them. I think many of us would say, and that without undue partiality, that for bravery, for coolness, and resource in dangers and for disregard of wounds and death, the well-chosen Native Indian officer will come off well in comparison with any but the very pick of the young officers of European Armies."

With reference to the rather depreciatory estimate given by the noble Lord of the tactical arrangements existing in India, he would observe that the authorities upon whom he relied had not so recent an experience as General Vaughan, and others, who were in favour of the present system. The noble Lord seemed to refer to a condition of things somewhat remote, and he desired to remind him that within the last 14 years there had been a very distinct improvement in the condition of the Native troops. The noble Lord asked whether British officers attached to Native Infantry were borne at the same time on the strength of the Indian Staff Corps with the advantage of progressive promotion in that corps? The answer was "Yes." They belonged to the Indian Staff Corps, which was normally the whole body of British officers of the Indian Service. The Indian Staff Corps had no fixed establishment, except for general officers; and the Army promotion, therefore, was regulated not by succession to vacancies, but by periods of service. According to the latest Returns, the Staff officers were thus employed:—Army Staff, 173; regimental duty, 1,150; civil or political, 341; police, 93; public works, 46; miscellaneous, 190; furlough, 433. Promotion was progressive in a fixed ratio. Thus—Promotion to captain was attained after 12 years; to major, after 20; to lieutenant colonel, after 26; and after five years in the rank of lieutenant colonel, an officer got the brevet rank of colonel. As he had explained, the Indian Staff Corps could be increased to any extent, except with regard to generals. Of these there was a fixed establishment, to which promotion was made by succession to vacancies. In conclusion, he expressed the hope that no attempt would be made to disturb the present military organization of India, except upon very good grounds, and without some definite scheme to take its place.

The Duke of CAMBRIDGE: The House, I am sure, does not desire that I should go into the question of the organization of the British Army in India, with which I am not personally and locally acquainted. And, indeed, if I did, I should have very great hesitation in approaching the question, when I look around me and find myself in the presence of distinguished Lords, who, by reason of their familiarity with Indian affairs, through long service in that part of our Dominions, are entitled to offer opinions to which much greater weight must attach than to mine. I should not venture to offer any personal opinion on the matter, were it not for the fact that I have recently had an opportunity, for the first time, of seeing a portion—small, no doubt, but a portion—of our Native Army in India, which represented the Army in every branch. I need only say that I returned home, after inspecting those troops at Malta, highly delighted with what I saw. I could not say too much in praise of those corps, and I was the more impressed with their bearing because I was perfectly aware that they were not selected. They were corps sent on this duty, not because they had special advantages beyond others or were more distinguished than others; but because they happened, as it occurred, to be the nearest at hand and the most available for this particular service. Consequently, I believe that I have had an opportunity of really seeing the working of an ordinary corps of the Native Army of India. In the opinion which I have given of them, I refer equally to Cavalry, Engineers, and Infantry. From what I saw, I am certainly under the strong impression that all the branches of the Native Army of India are in a high state of order and efficiency. Their discipline is excellent, and their spirit is most loyal and admirably affected towards the Empire to which they belong. In every respect the Native Army is well qualified to take the position to which it is entitled in the defence of Her Majesty's Possessions in distant parts. As regards the question of the officers, I do not think it is necessary that I should go into it. Whether there are too many or too few officers in a regiment is, I contend, a matter of ordinary routine and consideration, to be regulated in reference to the duties that are to be performed. Many of the details that present themselves when this question is broached are simply of the kind which must be left to the discretion of the commanding officer—such as whether officers should be called upon to dismount in passing over a rough country. Perhaps I am not justified in giving an opinion in the presence of many who know India and her requirements so thoroughly; but I must say I think no officer should go mounted to the front with a large body of skirmishers. In that case there would be no chance for the horse and very little for himself. But that is a matter of arrangement and routine, and one which I do not think ought to be taken into consideration here. I do not feel called upon now to give a judgment upon the question whether there ought to be a larger number of European officers with the Native corps, and if the question were to be re-considered, I should prefer leaving it to those who are more fitted to come to a decided conclusion. Dismissing these matters, I beg to repeat that, both as regards efficiency and spirit, I am firmly convinced that the Native Army of India is in an admirable condition and well worthy to serve this Empire.

LORD NAPIER OF MAGDALA said, that the regiment in which the temporary irregularity took place that gave rise to the remarks of the noble Lord was one of the very best regiments in the Indian Army. It distinguished itself by its gallant conduct against the mountaineers in the Umbeyla Campaign on the Punjab Frontier, and wherever it had been employed had shown itself to be excellent in courage and discipline. As His Royal Highness had pointed out, the officers should have dismounted when they came to ground over which they could not ride. There was a general order for mounted officers to dismount, when under fire within 600 yards, and it was the duty of the general officer to cause that order to be obeyed. As regarded the number of Native officers, there was a difference of opinion, because the Indian Army was one derived from an enormous extent of country. In India there were really three Armies, composed of various races, and employed in different parts of the country, hundreds, nay, thousands of miles apart. Therefore, it might be expected that differences of view would arise among officers, according to the exigencies of the particular service in which they were employed, and the characteristics of the different races which they commanded. But then their experience was too often drawn from a field too limited to entitle them to speak for the whole of the Native Army. After a deliberate review of all the information which could be obtained from officers of every branch and department of the Army, the Government of India had decided upon the present organization of the Indian Army; and he thought it would be a very great misfortune, after the question had been unsettled so long, now when it appeared to be finally settled, to re-open it, and again disturb the minds of the officers regarding their prospects. Some authorities considered that seven officers were not sufficient for a Native regiment; but they did not sufficiently consider that they were supplemented by 16 Native officers, selected from the whole body of the regiment. According to the system which prevailed in the old Native Army, promotions were made solely by seniority, and advancement only came when the men were too old to be fit for it. That was now changed, men were promoted for merit. efficient men were often promoted, from the very bottom of a grade, when their seniors were unfit. Doubtless, some of the defects which marked the old system might linger in the present one; but they would gradually disappear. Great pains had been taken to select Native officers and promote them according to merit, irrespective of seniority; and the result, he thought, might fairly be referred to as justifying what had been done—a result which they had just heard set forth in the opinion of the illustrious Duke the Commander-in-Chief. If the Indian Army consisted merely of European officers and Native soldiers, there would be a clear line of demarcation between the governors and the governed, and any person carrying on the administration of such an Army would find himself with little power. It was the merit of the present system that it interposed, between the administrators and the people ruled, the very best of the Native elements. Between the European officers and the men they found the very pick of the regiments acting as Native officers; and, by their religion, their race, and their position, these officers possessed the confidence and attachment of their men. On the other hand, these Native officers, having been drawn near to authority, and treated with respect and improved in position, considered themselves as part of the body of officers serving under the Government whose loyal servants they were. The former Native Army, no doubt, did very good service; but it did not possess this advantage in the degree in which it now existed, so that, when the day of temptation came, and the Mutiny broke out, there was no influence to keep the men to their colours. From the moment when the new organization was introduced—beginning, as it did, with a single regiment in the Punjaub—there had been an unbroken succession of gallant and loyal men in the ranks of the Native officers, and he hoped there would not now be any interference with it.

LORD NAPIER AND ETTRICK ventured to express, with due deference to better authorities, the impression that, so far as Southern India was concerned, the present organization could not, in case of an emergency, be largely carried out, unless, indeed, the Native officers were selected upon a different principle to that now in force. It might be possible, even in Southern India, to provide company officers capable of leading their troops; but there was no system in existence by which to obtain them. He unhesitatingly affirmed, on the basis of opinions submitted to him by officers connected with the Army of Southern India, that the present method by which the Native officers were selected was insufficient and unwise. The country did not afford men who had military traditions to fall back upon, and there was no system of education for those whom they chose. The Native company officer was simply a well-conducted old soldier of such an age, in many cases, as to be incapable of much physical exertion. There were many portions of Northern India to which the same criticism might apply. If the present system of promotion by mere seniority was to be maintained in the Army of Southern India, then he should adhere to the opinion of General Haynes that the Army of Southern India could not fairly and properly be presented on the field of battle unless there were European officers in connection with every company.

LORD TRURO remarked, that the question resolved itself into this—Could Indian troops, sufficiently officered for Indian warfare, take their position beside European forces in a European campaign?

LORD LAWRENCE spoke highly of the Native Army of India, concurring with the noble and gallant Lord (Lord Napier of Magdala), whom he regarded as the best authority on the subject, that the present organization was a good one, and that the selection of the Native officers was carefully carried out, and was, on the whole, the system best suited for Native troops with English officers. Though not a soldier himself, he had passed the best years of his life amongst military officers in India, and had seen the troops which they commanded on active service; and many of the officers of the highest ability among them usually expressed the same opinion about the efficiency of our Indian Army as at present constituted. The organization and advantages of the Native Army at present was such, that individual officers did not, as a rule, wish to leave their regiments. He pointed out the different state of things which formerly existed. Then the attractions of the Service with Native regiments in India were so few that the English officers were impatient to get away and obtain employment of some other kind. This also, in some measure, arose, no doubt, from the fact that though many of them might have proved good officers amongst their own countrymen, they were not calculated to make really useful officers amongst Native Indian troops. But now, generally speaking, owing to the changes in system in the first selection of English officers for Native regiments, they had been rendered greatly superior to the officers under the old system. He was so convinced of the beneficial effects of the change, that he had no hesitation in asserting that it would be an evil day for the Indian Army and for ourselves if, under any pretext, we were to revert to a system which had weakened and deteriorated European influence on the Native mind.

THE EARL OF NORTHBROOK said, it had been observed by a previous speaker that this question of the organization of the Native Army in India was one that should be considered by those responsible for the government of India; and that the Government of India, before they determined the question, ought to have before them the opinions of the highest practical authorities on the subject. He quite agreed with the noble Lord who made that observation; but their Lordships were probably not aware that the course which his noble Friend had suggested had been actually followed by the Government of India. It was not three years since the organization of the Native Army, in respect to the number of English officers attached to each regiment, was considered by the Government of India, when he had the honour of being the Viceroy; and the Government of India had before them the opinions expressed by his noble Friend behind him (Lord Napier and Ettrick), who was at the time Governor of Madras, and the opinions of many officers of the Madras Army. The Government went very carefully into this and other questions connected with the Native Army. They had the assistance of two officers, than whom there were not two living better qualified to assist the Government. In the first place, they had the assistance of his noble and gallant Friend who had addressed the House that night from the cross-benches (Lord Napier of Magdala), and than whom there was no better authority, from the intimate knowledge he possessed of the Army itself, and from the great interest with which he had devoted himself to the improvement of the condition of the men, and the instruction and education of the officers. In the next place, they had the assistance of Sir H. Norman, who, having for several years been military secretary and member of the Governor General's Council, possessed a knowledge of the subject exceeded by none. Well, the Government of India having taken the opinion of these two and other distinguished officers, and having fully considered the question, came to the deliberate opinion that for service in any part of the world, the present establishment of English officers to each Native regiment—namely, seven officers—was sufficient. These conclusions had been made public. They were contained in documents that were laid before their Lordship's House. They were sent home for consideration by the Secretary of State in Council (the Marquess of Salisbury) and they received the deliberate approval of Her Majesty's Government. Indeed, he did not think it possible for any question to receive more deliberate consideration than had this one; and it had given him great pleasure to hear the opinion expressed by the noble Viscount the Secretary of State for India, that before any changes were suggested some substantial proposal ought to be put forward as a substitute for the system which it was proposed to alter. He could conceive no course more likely to be detrimental to the Native Army of India than that this question, which had been so recently decided by the highest authorities that could decide upon it, should so shortly afterwards be re-opened. He was glad to hear the opinion of his noble Friend who spoke last, and who, though not a soldier, yet from his career in India, was able to speak with a weight equal, perhaps, to that of any other man. The opinion of his noble Friend was decidedly in favour of the present as compared with the old system of officering the Native Army. The spirit of the Indian Army had been shown on a recent memorable occasion; and it was with the greatest satisfaction that he saw in the public Press, and that he heard to-night the testimony of the illustrious Duke to the efficiency of that Army. He was sure that the praise of the illustrious Duke would be received by all ranks of the Indian Army with the greatest satisfaction, and would tend to foster that spirit of loyalty and devotion to the service of Her Majesty which now animated it.

House adjourned at Eight o'clock,
till To-morrow, half past
Ten o'clock.

HOUSE OF COMMONS,

Monday, 15th July, 1878.

MINUTES.]—SUPPLY—*considered in Committee*—CIVIL SERVICE ESTIMATES, Class IV.—EDUCATION, SCIENCE AND ART; Class II.—SALARIES AND EXPENSES OF PUBLIC DEPARTMENTS.

PUBLIC BILLS — *Second Reading*—Intermediate Education (Ireland) [249]; Turnpike Acts Continuance, &c. * [245]; Statute Law Revision * [263]; Irish Church Act (1869) Amendment (No. 2) [244], *put off;* Sale of Food and Drugs Act (1875) Amendment * [252].

Committee—Police Expenses Act Continuance * [256]—R.P.

Committee—Report—British Museum (Transfer of Collection) * [236]; Drainage and Improvement of Land (Ireland) * [227].

Withdrawn—Linen and Hempen Manufactures (Ireland) * [184]; County Government * [93].

Lords Amendments considered—Local Government Provisional Orders (Dawlish, &c.) * [212]; Local Government Provisional Orders (Abergavenny Union, &c.) [259].

QUESTIONS.

PARLIAMENT—REPRESENTATION OF CLARE.—QUESTION.

MR. SULLIVAN asked Mr. Attorney General, Whether Sir Bryen O'Loghlen, Member for Clare County, having since his election accepted an emolumentary office under the Crown, as Her Majesty's Attorney General for Victoria, has not thereby vacated his seat in this House?

THE ATTORNEY GENERAL (Sir JOHN HOLKER): Sir, the Question whether an hon. Gentleman who has been elected a Member of this House has vacated his seat is one which it is for the House itself to decide. I therefore hope my hon. and learned Friend will not think me discourteous if I decline at present to commit myself to an opinion upon a point as to which, when it comes to be investigated by the House, I shall be called upon, as one of the Law Officers of the Crown, to advise either the House or the Government.

MR. SULLIVAN gave Notice, that on Wednesday he would ask the date of the appointment of Sir Bryen O'Loghlen to the appointment of Attorney General in Victoria; what salary was attached to the position; and, whether the hon. Baronet had accepted the Office?

INDIA—CIVIL AND MILITARY EMPLOYMENT—GENERAL RICHARD STRACHEY.—QUESTION.

GENERAL SIR GEORGE BALFOUR asked the Under Secretary of State for India, To explain the position of General Richard Strachey as regards the civil and military emoluments drawn by him and offices held; whether, being a member of the Council of India, it has been proposed to appoint him to serve on the Council of the Governor General, and to be President of the Famine Commission, and to draw Indian Allowances, and to what amount for these Indian offices, also to retain his seat on the Home Council, continuing to draw the pay of that office; and, whether the Papers relating to these various changes will be laid upon the Table?

MR. E. STANHOPE: Sir, General Richard Strachey has accepted the post of Financial Member of the Council of the Governor General of India during the temporary absence of his brother, Sir John Strachey. He has in consequence resigned his seat upon the Council of the Secretary of State in England. With regard to the Famine Commission, of which he was appointed President some time ago, the arrangements are entirely under the control of the Government of India, and I am not aware whether any change will be rendered necessary by his temporary acceptance of other duties.

GENERAL SIR GEORGE BALFOUR said, the hon. Gentleman had not answered the latter part of the Question, as to whether Papers relating to this question would be laid on the Table?

MR. E. STANHOPE: At present, Sir, there are no Papers whatever.

PUBLIC BUSINESS—KEW GARDENS. QUESTION.

SIR CHARLES W. DILKE asked the honourable Baronet the junior Member for Mid-Surrey, Whether he intends to proceed with his Motion with reference to Kew Gardens during the present Session?

SIR TREVOR LAWRENCE, in reply, said, that he stood in this position. He had an excellent opportunity of bringing on his Motion for the earlier opening of Kew Gardens on the 7th of June, the day before the Whitsuntide Recess. On speaking the day before to his hon. Friend the Secretary to the Treasury and his right hon. Friend the First Commissioner of Works, he found that it would be more convenient to them that he should postpone his Motion until after the Recess, and, consequently, he withdrew it on the 7th, on the distinct condition and understanding that the Parks Vote would be taken on the 13th of June, so as to enable him to bring the question forward on that day. He was sorry to say that his hon. Friend the Secretary to the Treasury did not find it convenient to carry out his engagement, nor had he in the month which had since elapsed given him the opportunity he promised. He was sure, however, that his hon. Friend was anxious to keep faith, and not to lay himself open to the charge of taking advantage of his (Sir Trevor Lawrence's) Parliamentary youth and innocence; and he confidently expected he would give him an early opportunity of bringing on the Motion.

CRIMINAL CODE (INDICTABLE OFFENCES) BILL.—QUESTION.

SIR HENRY JAMES asked Mr. Chancellor of the Exchequer, Whether he will give such Notice of his intention to move the discharge of the Order in relation to the Criminal Code (Indictable Offences) Bill, that an opportunity may be afforded for discussing the constitution of the proposed Commission for revising the Bill?

THE CHANCELLOR OF THE EXCHEQUER, in reply, said, he should undertake not to move to discharge the Order without first giving Notice; but he must not be understood to admit that any discussion was desirable.

CATTLE DISEASE—INOCULATION.

QUESTION.

SIR PATRICK O'BRIEN asked the Secretary to the Treasury, Whether his attention has been directed to the success attendant upon the inoculation of cattle (at Campbeltown, in Argyleshire, and elsewhere) in preventing the spread of pleuro-pneumonia; and, whether he will consider the expediency of introducing a Clause in the Cattle Bill rendering such inoculation compulsory?

SIR HENRY SELWIN-IBBETSON said, that experiments in the inoculation of cattle had been made for many years past in all parts of the world, and, although there were some instances in which they had proved successful, the result had not been so generally successful as to render inoculation at all certain, and in the circumstances, the Government were not prepared to introduce a clause into the Cattle Bill to render inoculation compulsory.

INLAND NAVIGATION (IRELAND).

QUESTION.

MR. KING - HARMAN asked the Chief Secretary for Ireland, Whether his attention has been directed to the Report of the Committee appointed to inquire into the Board of Works (Ireland), especially to that portion which relates to the Northern Navigation System, in which the following sentence occurs:—

> "We would recommend, therefore, that a Royal Commission, which would command public confidence, should be appointed by the Government;"

and, whether it is the intention of Her Majesty's Government to appoint such a Royal Commission to inquire into the state of inland navigation in Ireland, more especially into that portion of it known as the Northern System?

SIR HENRY SELWIN-IBBETSON: Sir, my attention has been called to the Report, and I propose to have a clause very shortly under consideration. As yet I have not had an opportunity of forming a definite opinion on the Report, or to make any recommendations such as those to which the hon. Member refers. The question of the Irish navigation system will receive immediate attention.

FATAL BATHING ACCIDENTS—SCARBOROUGH.—QUESTION.

MR. GOURLEY asked the Secretary of State for the Home Department, Whether his attention has been called to the frequency of fatal bathing accidents at Scarborough and other watering places; and, if he will consider the desirability of causing instructions to be issued to the authorities of Scarborough and other places where inhabitants derive large revenues directly and indirectly from bathing visitors, requesting them to station watch boats and life-saving apparatus in the neighbourhood of all bathing machines?

MR. SCLATER-BOOTH: Sir, neither my right hon. Friend the Home Secretary's attention nor my own has been called officially to the frequency of fatal bathing accidents, though, of course, I am aware that such lamentable events do occur. With regard, however, to Scarborough, I am informed by the Mayor that the place had enjoyed an immunity from fatal bathing accidents for 14 years till last year, when two of them occurred. The town council had given their attention to the subject, and I have seen the regulations under which stands for bathing machines are now let. One of these requires that the proprietors of bathing machines shall provide a boat with life-buoy and requisite tackle constantly in readiness for the rescue of persons in danger. This will, I hope, be satisfactory to the hon. Gentleman. Under the Public Health Act the Local Government Board are in the constant habit of sanctioning bye-laws for the regulation of bathing; but I have no power to require the authorities to provide watch boats, nor have they the power to do so at the cost of the rates.

POST OFFICE—PORTERAGE ON TELEGRAMS.—QUESTION.

Mr. A. H. BROWN asked the Postmaster General, If he is aware that, in violation of an understanding come to by the Post Office authorities with an inhabitant of the parish of Finchley that no porterage should be charged on the delivery of telegraph messages (except at night), porterage is now charged; and, if he could explain why a telegraph office has not been established at Church End, Finchley, which contains a population of some thousands?

Lord JOHN MANNERS: Sir, it is true that in 1874 an inhabitant of Church End, Finchley, was told that no porterage should be charged on the delivery of his telegrams during the day. But he was told so in error. Church End is more than a mile from the nearest telegraph office, and telegrams delivered there are legally liable to a charge of 6*d*. for porterage. No telegraph office has been opened at Church End, because the amount of telegraph business would not cover the expense.

THE INDIAN BUDGET.

QUESTION.

Mr. FAWCETT asked Mr. Chancellor of the Exchequer, Whether he can inform the House on what day the Indian Budget will be brought forward?

The CHANCELLOR of the EXCHEQUER: Sir, the hon. Gentleman will be aware how difficult it is to fix a day for the Indian Budget; but, as far as I can calculate, it is very probable that we may be in a position to bring it forward this day fortnight.

IRELAND — SCIENCE AND ART MUSEUM, DUBLIN.—QUESTION.

Mr. GRAY asked the Vice President of the Committee of Council on Education, What is the present position of the proposed arrangement for the establishment of a Science and Art Museum in Dublin, and more especially for the acquisition of land for the holding of the Agricultural Shows heretofore held on the premises proposed to be taken for the purposes of the Museum?

Lord GEORGE HAMILTON: Sir, negotiations are so far completed that we have made a definite offer to the Royal Dublin Society, by which they will be able to secure for the holding of the agricultural shows enlarged and more suitable premises than those now occupied by them in Leinster House. If the Society acquiesce in our proposals, we shall, having secured to them a place for their agricultural shows, be able to devote the whole premises of Leinster House to the purposes contemplated by the Dublin Art and Science Museum Act of last Session.

TURKEY—FREE TRADE.

QUESTION.

Mr. J. HOLMS asked Mr. Chancellor of the Exchequer, Whether, in the recent arrangements with Turkey, Her Majesty's Government have stipulated for the adoption and maintenance of "free trade" throughout the Turkish dominions?

The CHANCELLOR of the EXCHEQUER: Sir, the best answer I can give to the hon. Member is to refer him to the terms of the Treaty which has been laid on the Table of the House.

SPAIN AND CHINA — EMIGRATION TREATY.—QUESTION.

Mr. W. E. FORSTER asked the Under Secretary of State for Foreign Affairs, Whether he will lay upon the Table of the House the Emigration Treaty stated by Mr. Consul General Cowper, in his Despatch of May 13, to have been recently concluded between Spain and China; and, whether the Government can give any information with regard to such Treaty having been carried into effect, or any Despatches from Her Majesty's Ministers or Consuls in China on the subject?

Mr. BOURKE, in reply, said, that according to the last Reports received from Madrid, the Spanish Government before ratifying the Treaty wished to make some alterations in it; and consequently he was not in a position to lay the Treaty on the Table at that moment. The Treaty had not been carried into effect. He would look through the Papers, and if there was anything of interest contained in them relating to this subject, he should have no objection to produce it,

THE COMMISSIONERS—INTERMEDIATE EDUCATION (IRELAND) BILL.

QUESTION.

MR. CHARLES LEWIS asked Mr. Chancellor of the Exchequer, Whether, before the Intermediate Education (Ireland) Bill goes into Committee, he will be prepared to lay before the House the names of the Commissioners proposed to be appointed?

THE CHANCELLOR OF THE EXCHEQUER: I do not think, Sir, it will be possible to lay the names of the Commissioners on the Table before the Bill goes into Committee.

THE GERMAN EMPIRE—THE NETHERLANDS.—QUESTION.

LORD ROBERT MONTAGU asked the Secretary of State for the Home Department, Whether Her Majesty's Government have any knowledge of a Treaty concluded, or about to be concluded between Germany and Holland, in virtue of which the Netherlands become part of the German Empire?

MR. ASSHETON CROSS: Certainly not, Sir. Her Majesty's Government have no knowledge of anything of the kind.

TURKEY—THE ASIATIC DOMINIONS OF THE SULTAN.—QUESTION.

LORD ROBERT MONTAGU asked the Secretary of State for the Home Department, with regard to the renewed obligations, entered into by the recent Treaty with the Porte, to protect against Russia the Asiatic dominions of the Sultan, Whether it is true Her Majesty's Government have agreed to yield to Russia the strong places by which those dominions are defended, such as Batoum, Ardahan, Kars, and the Soghanli Dagh?

MR. ASSHETON CROSS: Sir, I am not aware that Her Majesty's Government have consented to yield anything, and I think I must refer the noble Lord to the terms of the Treaty itself to see what the Powers have done. It will be laid on the Table of the House to-night; but I am afraid hon. Members will not get it until to-morrow afternoon, on account of the necessity of having it printed. Two maps have been placed, one in the Library of the House of Lords, and the other in the Library of this House, showing the effect of the Treaty so far as Europe is concerned. Other maps will follow, and maps will also be laid on the Table with the Treaty.

THE MARQUESS OF HARTINGTON: Perhaps the right hon. Gentleman will state when he expects the Protocols will be laid on the Table?

MR. ASSHETON CROSS: Certainly before the end of the week. They are being prepared and will be completed as soon as possible.

ARMY—RECRUITING SERGEANTS.

QUESTION.

MR. RITCHIE asked the Secretary of State for War, Whether the recruiting sergeants of Line regiments have any right to interfere with the Militia regiments attached to them, as regards inducing men to enlist for the Line during the period their regiments are assembled for training; if he would state to whom the recruiting rewards for men enlisting into the line from Militia regiments are payable; and, whether any portion of such recruiting rewards can, under any circumstances, be claimed by the Line recruiters?

COLONEL STANLEY: Sir, during the period of training of a Militia regiment, the Line sergeants are not permitted to interfere with the men with a view to inducing them to enlist into the Line. The recruiting rewards for men of the Militia enlisting during training periods are payable to the Staff of the Militia regiments. If any portion of the reward were claimed by the Line recruiters, it would certainly not be given them.

NAVY—GREENWICH HOSPITAL PENSIONERS.—QUESTION.

CAPTAIN PRICE asked the First Lord of the Admiralty, Whether it is the case that new regulations have been issued in the Navy with respect to Greenwich Hospital Pensions, and if he will state the nature of them; and, whether these regulations will curtail the prospective advantages to men now serving under the continuous service agreements, or if they are merely to apply prospectively to future entries?

MR. W. H. SMITH: Sir, new regulations have not yet been issued; but they have been approved by Her Majesty in Council, and will shortly be published. The nature of the regulations is to limit for the future the number of Greenwich Hospital age pensions in force at any one time to 7,500, originally estimated at 5,000, and also to limit to a total sum of 2*s.* 6*d.* a-day the amount of combined pensions which a man can receive from Greenwich and public funds. This change will not affect any persons who are already in receipt of Greenwich Hospital age pensions. The change is rendered necessary by the rapid increase which is going on in the charge for these pensions, which has grown from £46,500 in 1866-7 to £78,200 in 1878-9. The change will affect all men not at present in receipt of Greenwich age pensions; but the regulations for the grant of Greenwich Hospital age pensions does not form any part of the conditions under which men enter the Navy for continuous service.

RAILWAYS—CONTINUOUS BRAKES.

QUESTION.

Mr. M'ARTHUR (for Mr. D. Taylor) asked the President of the Board of Trade, Whether, with the view of establishing uniformity in the brake system on the great lines which interchange traffic, he would invite the Railway Companies to agree to a competitive trial of the several brakes now in use, the trial to take place under the superintendence of the Board of Trade, so that a definite decision may be come to on the subject?

Viscount SANDON: Sir, I do not think it would be within the functions of the Board of Trade to initiate a competitive trial of the brakes now in use; but if the railway companies should agree to institute such a trial, we shall be prepared to give them every assistance in our power, with the view of aiding them to bring the matter to a satisfactory conclusion with as little delay as possible. So many experiments have now been made, and so full an experience has now been gained, both at home and abroad, on this subject, that I cannot but express the opinion that the time has arrived for the railway companies to take immediate steps to come to a decision respecting the brake system; for there can be no doubt that the general adoption of a satisfactory system of continuous brakes is a matter of the greatest importance to the public.

THE BETTING ACTS—THE ADVERTISEMENT CLAUSES.—QUESTION.

Mr. ANDERSON asked the Secretary of State for the Home Department, If his attention has been drawn to the very considerable number of small newspapers which are published in London and various English towns for the purpose of promoting a system of swindling under the guise of betting, and to the fact that the advertisement clauses of the Betting Acts are systematically evaded in these as well as in some more regular sporting papers, Metropolitan and Provincial; and, whether the Home Office will undertake the prosecution of some of these offenders, or if the Government has it in contemplation to introduce a measure for the establishment of public prosecutors?

Mr. ASSHETON CROSS, in reply, said, his attention had not been called to the small newspapers to which the hon. Member referred; but, on the Report of the Chief Commissioner of Police, a prosecution was undertaken in February last by the Treasury Solicitor, for the purpose of an example to future offenders.

MOTIONS.

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PARLIAMENT — PROGRESS OF PUBLIC BUSINESS.—RESOLUTION.

The CHANCELLOR of the EXCHEQUER moved, pursuant to Notice—

> "That after To-morrow, for the remainder of the Session, Orders of the Day have precedence of Notices of Motion upon Tuesdays, Government Orders having priority, and that Government Orders have priority upon Wednesdays."

The Marquess of HARTINGTON: I have no doubt, whatever may be the feelings of some hon. Members whose opportunities will be interfered with by this Motion, that the great majority of the House will be ready to accede to this, or indeed to any other Motion which would have the effect of putting an end to this already protracted Session. But I think that the House will expect before it passes this Resolution, that some information should be given to it with respect to the use which the Government intend to make of the additional time thus placed at their disposal. I do not propose to go through the list of Government measures in detail, and I am not prepared to say that there are, for this time of the year, any unusual number of Bills, with which progress has been made, which there is not any probability of passing. There are some measures on the Order Book, which it has long been quite evident the Government do not intend to press, and it is very desirable that they should take this opportunity of informing the House, as far as they are able, what measures it is intended to press and what are to be abandoned. Some of the most important Bills with which progress has been made are Bills relating to the subject of local government. The County Government Bill has been dropped for a very long time, and I believe it is understood that it is not the intention of the Government to persevere with it any further. There are the Highways and Valuation Bills, and I should doubt whether it would be possible for the Government to pass the latter of those measures this Session. I cannot help thinking that it is to be regretted that the Government should have introduced so many Bills relating to this matter, if it was not their intention to persevere with them, or if they had not a reasonable prospect of passing them; because, when a variety of measures are before the House together, there is a tendency to waste time, not only by the period actually occupied in the discussion of any particular measure, but because questions creep into the discussion as to other measures, and re-act upon it. I will not anticipate the statement which the Chancellor of the Exchequer is, doubtless, prepared to make, and I will leave it to hon. Members who take particular interest in the measures before the House to put questions to the Government respecting their further progress; but there is one other point to which I wish to refer before I sit down, and that is the answer which the right hon. Gentleman gave the other day with reference to the Motion standing in the name of my right hon. Friend the Member for Greenwich for to-morrow. The right hon. Gentleman stated that he would not be able to dispense with a Morning Sitting to-morrow so as to give my right hon. Friend the whole evening. Now, I think, considering the very great importance of the question which is to be raised by my right hon. Friend—and considering the large amount of time of the House which the Government are now about to appropriate, it would be very desirable if they could find it possible not to ask for a Morning Sitting to-morrow, but to give up the whole of Tuesday to the discussion of this Motion.

THE O'CONOR DON: Sir, I have no wish to oppose the Motion of the Chancellor of the Exchequer, but rather to give every facility for bringing the Session to a close; but when he asks the House to give up to the Government all the time usually devoted to Private Members' Business, I think I may fairly appeal to him to know what he will do to facilitate the passing of the Sunday Closing Bill for Ireland? That Bill has been in my charge all this Session; but it has really become the possession and property of the House, on account of the overwhelming majorities in its favour, and from the time which has been devoted to it. It is but reasonable for me to ask what course the Government intend to adopt with regard to it, especially as the House has already spent 54 hours on it? We none of us wish that all the time which has been spent on this Bill should be lost, and the Government will do wisely to get rid of the question this Session. I, therefore, appeal to the right hon. Gentleman to give us the assurance that this Bill will be read a third time at the earliest opportunity.

MR. GLADSTONE: Sir, I do not intend to dwell beyond a very few words on the appeal made by my noble Friend, because I think it would appear as if my own personal convenience was involved in it; but I wish to point this out to the Government, that it may be right to consider why it is that the Motion of which I have given Notice has occurred at a period of the year when, undoubtedly, time is very scarce, and when it seems invidious to press the Government. The reason of the delay has been this—that whereas the Act was passed in India with extraordinary expedition on March 12, it was not until the beginning of July that any Papers were laid on the Table of this House. A discussion was begun—and I was not surprised at it—early in the month of March or April; but I myself made an appeal to hon. Members on this side of the House to waive any discussion, because the Papers were not in our hands, and we were not in a position to approach the subject satisfactorily. I could not have had the smallest conception that three or four months would elapse before we were to be placed in the possession of information on which we might proceed. I have no doubt this delay was owing to exceptional causes; but I think Her Majesty's Government will see that it does constitute a claim to afford such opportunities as they can for the discussion now that we have approached it. I wish to say one word on the appeal just made by the hon. Member for Roscommon (the O'Conor Don). With regard to that, I feel convinced that Her Majesty's Government, as men of sense and the regulators of the Business of the House, will give some encouragement to it; because it is really too formidable that Members of this House, whether they are approvers or opponents of the Bill, should look forward to a renewal in future years of the operations which we have gone through during the present Session. My hon. Friend says that nearly 60 hours have been consumed in the discussion upon this Bill. What is the meaning of that? It means that more than one-twentieth part of the entire time at the disposal of this House, for all subjects whatever, foreign and domestic, has been consumed in considering whether during the period of four years public-houses in Ireland shall be closed on Sunday. There is a disproportion in that which is very grievous, and it is quite evident that—I will not say the same obstinacy—the same gallantry and the same tenacity which have been exhibited during the present Session in opposing this Bill will not be wanting in future years. We should again find ourselves sitting here at 3 o'clock, at 5 o'clock, at 7 and 8 o'clock in the morning, unless we are permitted now to give a small amount of time for the disposal of it. I would venture to point out this—that if the Government intend to allow some reasonable opportunity to be devoted for this purpose, it will be very desirable that it should be done soon, because the subject is entirely new to the House of Lords, and it is one which the House of Lords has as much a right to entertain independently as we have. It is of the greatest importance that, if it goes there, it should go under circumstances when it can be properly discussed, and not in the crowd and hurry of the last days of the Session.

Mr. MURPHY said, he would not presume to dictate to the Government what course they should take with regard to giving further facilities for the Bill of a private Member; but he must be allowed to make this remark—that perhaps in the history of Parliamentary proceedings there was not a single instance of so many facilities having been given to the promoters of a Private Bill as had been given to the hon. Member for Roscommon in relation to the Irish Sunday Closing Bill. The right hon. Gentleman the Member for Greenwich had characterized the discussions which had taken place in opposition to that measure as an unprecedented waste of time; but he would ask him if the minority would have ventured to occupy all that time if it were not that they felt they were backed up by the great majority of the Irish people. The right hon. Gentleman spoke of majorities having been obtained in favour of the Bill; but, in reality, there had been only one majority registered on behalf of it, and that was the majority on the principle of the Bill on the Motion for its second reading; and he protested against the opposition which had been subsequently given to the measure being described as a useless waste of time, seeing that it had given an opportunity to the growing opinion of the people of Ireland to develop itself against the Bill, which it had done in a most unprecedented manner.

Mr. MELDON hoped that some distinct statement would be made as to the course which it was intended to follow with regard to the various Government Bills which were before the House relating to Ireland. He found that, at the present time, there were altogether in different stages of progress 33 Government measures on the Order Book of the House. Of these, a dozen, he thought, were Irish Bills. There were on the Paper for that evening five Government measures affecting Ireland, most of them for second reading; there were 72 Votes to be taken in Committee of Supply; the Indian Budget had not been touched; and a Supplemental Estimate was about to be brought forward. Under these circumstances, he thought it was not unreasonable to inquire, what Irish measures the Government intended to force on at that period of the Session?

Dr. LUSH hoped the Chancellor of the Exchequer would consider the propriety of dropping, for this Session, the Medical Act Amendment Bill, which had received considerable opposition from all parts of the House.

Sir CHARLES W. DILKE said, that a discussion must arise on the Expiring Laws Continuance Bill, through the fault of the Government in not having introduced the Corrupt Practices Bill, which they had promised year after year. They had distinctly assured the House last year that they would bring the Bill in early this Session; but, as yet, they had not redeemed their promises. The law as to corrupt practices was in a most imperfect state, and greatly needed reform. With regard to the Motion of the right hon. Gentleman the Member for Greenwich on the subject of the Indian Vernacular Press Law, he could not but think that the discussion would lead to a most imperfect and unsatisfactory result if it did not begin till 9 o'clock. He considered that it would be better for the dignity of the House, and for the power of the country in India that the discussion should receive ample treatment, which it could not do if it only began at 9 o'clock. Many hon. Members would be tempted to oppose the Motion now made unless some promise on the subject was given.

Mr. GORST desired to know, when the Government proposed to go into Committee of Supply again on the Navy Estimates; and, whether the Government would adhere to the understanding that fair opportunity should be given for the discussion of those Estimates; because there were several very important matters which would come on for discussion at that time?

Dr. WARD, referring to the Irish Fisheries Bill, of which he had charge, asked, what course the Government intended to take, after the House had in a former Session passed a Resolution acknowledging the necessity of dealing with the question?

Mr. FAWCETT said, he must join in the appeal which had been made to the Government to give to-morrow night for the discussion of the Motion of the right hon. Gentleman the Member for Greenwich. On a former occasion the Government distinctly said that if the subject were not then pressed, they would recognize the importance of a full debate when the Papers were laid on the Table. Considering the importance of the Press Act in itself, the manner in which it had been passed, and also the manner in which the Home Government had had their hand forced by the Government of India, he thought it must be obvious that such issues as were involved could not be debated in a Sitting which began at 9 o'clock. He would make an earnest appeal to the Government to allow to-morrow evening to be taken for the Motion of the right hon. Gentleman the Member for Greenwich.

Mr. C. BECKETT-DENISON agreed with the hon. Member for Hackney (Mr. Fawcett) as to the importance of the questions to which he had referred, but drew a different conclusion with regard to them. It would be far better that the discussion should not take place at all this Session. Whether a half, or the whole, of an evening were taken for the consideration of the subject, it would be an incomplete discussion.

Mr. RAMSAY said, that in the present state of Public Business, and considering the period of the Session at which they had arrived, it would be desirable that the Scotch Members should be informed which of the Bills relating to Scotland now before the House were likely to be passed in the course of this Session. He would therefore ask, which of those measures was it the intention of the Government to adhere to; which of them were the Government determined to carry through? If the Chancellor of the Exchequer was unable to answer those questions that evening, he hoped the right hon. Gentleman would do so in the course of the present week.

Mr. HAYTER wished to know, on what day the Army Estimates would be proceeded with, when the question of supplementing the Army Examination by physical competition could be discussed?

The CHANCELLOR of the EXCHEQUER: Sir, I am very much indebted to the House for the manner in which they have received the main proposition which I have submitted—namely, that the remaining Tuesdays and Wednesdays shall be given to the Government Business. I think it is for the convenience of the House, as well as for that of the Government, that that arrangement should now be made. We have had, as the noble Lord has truly said, a rather protracted Session, beginning so early as we did; and I think the time has quite come when we may endeavour to see our way towards the conclusion of the Business that lies before us. At the same time, I do not think that the day has yet actually arrived for that which is technically known as the Massacre of the Innocents. I think it would be unwise and indiscreet in us to throw over, at the present moment, a large number of Bills, some of which it might possibly be found in our power to pass; but I think it is quite reasonable that the House should ask what are the Bills we attach special importance to, and what are those we have every expectation, and hope, and intention, so far as we can, of carrying. Now, there are two Bills, certainly, which stand in the first rank. One is the Bill of which we are to move the second reading to-night—the Intermediate Education (Ireland) Bill. The other is the Cattle Bill, which stands for progress in Committee to-morrow. I think it is very desirable that we should lose no time in making such progress as we can with those two Bills. That brings me to the question which the noble Lord put with regard to the Business for to-morrow. When I was asked the other night by the hon. Member for Hackney (Mr. Fawcett), whether the Government would dispense with a Morning Sitting to-morrow, in order that the whole evening might be given to the discussion of the Motion of the right hon. Member for Greenwich, I pointed out that it was of importance that we should proceed with the Cattle Bill, and I objected to the alteration of our arrangements on that ground. I still think it would not be for the convenience of the House that we should put off the commencement of that Bill in Committee. But I would wish to make this proposal. I feel the force of the appeal which has been made—that ample time should be given to discuss a question of such interest as that which my right hon. Friend (Mr. Gladstone) proposes to raise. What I suggest would be this—I have already made a Motion that, after to-morrow, Orders of the Day should have precedence of Notices of Motion upon Tuesdays—that is, with a view of taking a Morning Sitting to-morrow and proceeding with the ordinary Notices in the evening. Now, if the House would be willing to allow us to begin to take Tuesdays, not after to-morrow, but on to-morrow, and to allow us to begin the Cattle Bill in Committee to-morrow, at an evening regular Sitting, I would then undertake in the following week—say, to-morrow week—to place that Tuesday at the disposal of my right hon. Friend for the discussion of the question which he desires to bring forward. If that arrangement were acceptable, I should be glad to fall in with it. If not, I should propose to make the Motion in the form in which it stands at present. In that case, the Order of the Day, which has already been made, for the House to meet at 2 o'clock, for the purpose of proceeding with the Cattle Bill, would stand. I think the House will see that, in making that proposal, I am anxions to accomplish two objects. One is to give a proper time for the discussion of the Cattle Bill, which must take more than one night, in Committee, and with which it is desirable to proceed when we take it up. The second object is to give ample opportunity for the discussion of the question of the Vernacular Press. [Mr. GLADSTONE assented.] I understand that that arrangement is accepted. Under these circumstances, I shall ask presently for leave to withdraw the present Motion, and propose to leave out the two words "after to-morrow;" and I shall have to make a Motion to correct the form of the Order in which it has been made. With regard to the other Bills which we have before us, there are two or three which the Government hope to proceed with, and to carry through. We propose to proceed with the Scotch Education Bill, and the Scotch Endowed Schools and Hospitals Bill. Both of those Bills are in such a state that we think we may fairly expect to carry them this Session. Then there is the Highways Bill, which stands for Report, and has yet to go to the House of Lords. I have no doubt we shall proceed with that measure. With reference to the County Government Bill, as the noble Lord has pointed out, it has been understood for some time that we have practically abandoned the hope of being able to proceed with that measure this Session. I will say nothing at this moment about the Valuation Bill. It would be premature to say what we should be able to do with that measure; but we must proceed with the Highway Bill first. There are some Bills of smaller dimensions, but still of importance; and, considering the progress they have made, I think we ought to expect to proceed with them. There is, for instance, the Bishoprics Bill, which has made certain progress. There is the Territorial Waters Bill, which, having reference to its important and international character, certainly ought to be carried. Then there are the Admiralty and War Office Bill, the Inclosure Bill, and some others which I hope we shall be able to proceed with. We do not intend to proceed this Session with the Under Secretaries of State (Scotland) Bill, or the Law Clerk (Scotland) Bill. With regard to the Criminal Code, that has already been explained. With regard to the Medical Law Amendment Bill, it would be premature to make any statement upon the subject; and I should prefer to take a little time before deciding what course the Government would adopt with regard to that measure. As to the Irish Bills, there is, of course, the important Bill now before us—the Intermediate Education Bill—and, possibly, we may be able to pass the Statute Law Revision Bill. I do not think we shall be able to pass the Bankruptcy Bill. With regard to one or two other Bills, it would not be possible at this time to give any definite answer. The hon. Member for Roscommon (the O'Conor Don) and others have called attention to that very interesting measure, the Sunday Closing Bill. I could not undertake to fix a day for it; but I think the House will feel that, after the length of time which has been spent in considering it, and the stage at which it has arrived, it would hardly be rational that the House should not proceed with it. I hope that an opportunity of doing so may arise. My hon. and learned Friend the Member for Chatham (Mr. Gorst) has referred to the Navy Estimates. I am, of course, anxious to get on with them and other Estimates; but I am bound to say that the Estimates which at present press most on us are the Education Estimates; and I hope we shall be able to proceed with them on Thursday next. So far as I can calculate at present, without knowing what contingencies may arise, I think we may look to take the Navy Estimates about Tuesday, the 30th, if we are ready to take the Indian Budget on Monday, the 29th; but without knowing what debates on important questions either of general or of foreign policy, it is almost premature to attempt to fix precisely the days on which these matters can be brought forward. I have endeavoured to give, as far as I can, general information to the House of the position in which we stand. I admit that there is some ground of complaint as to the Corrupt Practices Bill not having been introduced. I am afraid that at this period of the Session we can hardly hope to pass that Bill; but I think I can promise, at all events, that we will make every exertion to lay it on the Table before the end of the Session. Under these circumstances I beg to withdraw the Motion which I have made, and to substitute for it one with the words "after to-morrow" omitted. Then I shall move, with regard to to-morrow, that the Orders of the Day which are appointed for to-morrow at 2 o'clock be deferred until to-morrow.

Motion, by leave, *withdrawn.*

Resolved, That, for the remainder of the Session, Orders of the Day have precedence of Notices of Motion upon Tuesdays, Government Orders having priority, and that Government Orders have priority upon Wednesdays.—(*Mr. Chancellor of the Exchequer.*)

ORDERS OF THE DAY.

Ordered, That the Orders of the Day which are appointed for To-morrow, at Two of the clock, be deferred till To-morrow.—(*Mr. Chancellor of the Exchequer.*)

INTERMEDIATE EDUCATION (IRELAND) BILL—[*Lords*]—[BILL 249.]

(*Mr. J. Lowther.*)

SECOND READING.

Order for Second Reading read.

MR. J. LOWTHER, in moving that the Bill be now read a second time, said, that, fortunately, it was not necessary for him to detain the House at any length on the reasons which made it important that a measure on that subject should be introduced. He thought it was conceded on all sides that legislation in regard to Intermediate Education in Ireland called for early attention at the hands of the Government. He had hoped that he would have been able, at an earlier period of the Session, to move the second reading of the Bill; but circumstances, to which he need not specifically refer, but which were certainly beyond the control of himself and his Colleagues, had, unfortunately, rendered that impracticable. In ordinary circumstances, he would not have thought that an explanation, still less an apology, was due in respect of the introduction of the measure in "another place," where, he believed, it would be an advantage that more measures should be initiated; but an assurance having been given in this House, that the measure would be introduced on an early day, it was necessary to remind hon. Members that circumstances beyond the immediate control of the Government rendered it necessary to adopt the course which had resulted in the great advantage of the Bill being, in the first instance, explained to Parliament by his noble and learned Friend the Lord Chancellor, who, in addition to the many qualifications superior to his (Mr. Lowther's) own which he possessed, added thereto a long and intimate acquaintance with every aspect of that great question. The object in view was to place within the reach of all sects and creeds in Ireland facilities for obtaining Intermediate Education. No doubt, other schemes might have been devised. It might have been feasible to establish new schools with resources supplied from the State, or to subsidize existing institutions; but, for reasons which he thought would commend themselves to both sides of the House, the Government did not think it desirable to adopt either of these courses. If they had done so, they would have been treading on very dangerous ground, even if either course had offered a desirable method of effecting the object in view. They, therefore, selected the alternative plan, which was embodied in the Bill—that of placing within the reach of all, impartially and without distinction of sect or religion, advantages which it was hoped the nation at large would avail itself of. It was proposed to constitute a Board, to be called an Intermediate Education Board for Ireland—and if, in detailing the various points of the Bill, he travelled over ground already familiar to hon. Gentlemen, he must plead as an excuse that it was the usual course to explain the provisions of a Bill to both Houses of Parliament. This Board would consist of seven Members, of whom three would form a quorum. The composition of the Board was a matter upon which he could imagine that differences of opinion would prevail. Some would prefer a small Board of paid members; others a Board of which some members should be paid; but it was thought by the Government there were fewer objections to the plan of having the members entirely unpaid. It was proposed that they should be aided by Assistant Commissioners at £1,000 a-year, to act also as Secretaries and Inspectors. Under the scheme, the inspection was not likely to be arduous; but it might be necessary for the Board periodically to make itself acquainted with circumstances which would require investigation on the spot, and therefore, instead of appointing Inspectors to discharge this duty, it was thought better to combine the duties of Inspectors with the more regular duties of the Assistant Commissioners. The other officers necessary to carrying on the operations of the Board would be appointed by it; those he had named as well as the Board being appointed by the Lord Lieutenant. To the Board it was proposed to confide the distribution of the income received from £1,000,000 of the accumulated surplus revenue of the Irish Church; it would be administered on the responsibility of the Board under the conditions to be found in the Bill, involving due scrutiny and publication of accounts. The duties of the Board were explained in Clauses 4 and 5 of the Bill, and those duties would be to institute and carry on a system of public examinations of students. Without wearying the House by recapitulating the sub-sections of the Bill, he would just explain how it was proposed to deal with the proposals so far as exhibitions were concerned, and these points would be found detailed in the Schedule. It was proposed to deal with the students who complied with the conditions laid down, without any inquiry as to how or where they acquired their education. It was proposed that the prizes found in the Schedule should be open to all comers, without a question as to the mode in which they attained the knowledge necessary to obtain the prizes. The Board would appoint examiners, whose names would be published at the stated time, and these examiners would hold examinations at different centres, selected according to their convenience at the discretion of the Board. These examinations, though held in the various localities appointed for the purpose and the convenience of pupils, would not be considered local examinations as far as results were concerned; but every pupil who competed at the various centres would be considered for the purposes of examination to have competed at one, and the prizes distributed accordingly. The subjects upon which examination would be held were detailed in the first part of the Schedule. They were—(1), ancient languages and literature, and history of Greece and Rome; (2), English language, literature, and history; (3), the French, German, and Italian languages, literature, and history; (4), mathematics, including arithmetic and book-keeping; (5), natural science; (6), and other subjects of secular education selected by the Board from time to time. At this stage, he would call attention to the fact that it was proposed to deal solely with secular subjects; the scheme did not in any way deal with religious subjects. The pupils would be restricted to certain ages, and the examination held over a course of three years. The ages had been fixed so as to in no way interfere with early elementary education or University education, and he felt sure would meet the approval of the House. These ages were 16, 17, and 18, and the pupils would be required to give notice of their intention to apply for examination, and the Bill could require the payment of a fee not exceeding 10*s*. This last proviso had in some quarters been the subject of comment, and it might be well to call attention to the fact of the provision being for a fee not exceeding 10*s*., and the Board might, if it saw fit, charge a fee much lower than the maximum; but it must be generally admitted that some deposit was necessary, otherwise the examiners might be subjected to practical jokes, and those who had had experience of University examinations would be aware that this was not altogether an imaginary danger. In the first year the prizes within reach of the competitors were to be not less than £20, and in the second year not more than £30; the £20 being tenable for three years, and the £30 for two. No pupil was to hold two prizes or exhibitions simultaneously, nor to combine one of these with any other. Of course, it would be open to any pupil having obtained two prizes to elect which he would retain. One of the conditions attached to the retention of an exhibition was that the pupil must, the year following that in which he had obtained the prize, pass an examination in at least three subjects, the object of this being to prevent any pupil obtaining a prize by a mere system of cramming, and then abandoning his studies. In addition to the three subjects, he would be required to obtain a certificate of merit in at least one. The prizes for the third year were fixed at a sum not exceeding £50. He thought he had, as briefly as he could, drawn attention to the main provisions of the Bill so far as it affected exhibitions and prizes for students, and he should like to say a word or two with regard to the distinct question of result fees. It would be seen with regard to result fees, which they proposed, that they were to be paid to the managers of schools whose pupils were educated in the manner detailed in the Schedule. It had been pointed out that the term "manager of schools" had been used instead of master. They proposed to pay the money to the person responsible for the management of the schools, whether he were the board manager or the individual master, provided the master was himself manager of the school. The word manager was used for this reason—there was no intention to pay sums of money to a particular teacher to whom the instruction might be due. With regard to exhibitions, they would be open to all comers, and no questions would be asked. They would ask no questions as to religion or how the education had been obtained, or as to anything of that kind. They would not ask whether the applicant had ever been to school even. If a boy had been self-educated, or educated by a parent or tutor, the exhibitions would be thrown open all the same. If a boy derived his knowledge from intuition, it was equally unimportant to them—they only asked that he should comply with the examination. With regard to the result fees, the case was, of course, entirely different. They would require to make the result fees in strict conformity with conditions which should be satisfactory to the Board and Parliament. Among those conditions would be found Clause 7 of the Bill. This was what was called a Conscience Clause, and he had heard it suggested that that clause might be omitted from the Bill. He did not share that opinion. It had long been the established practice to insist upon the presence in any scheme dealing with education supported from funds of a public character of a clause of this nature. The clause had been drawn in a manner which made it free from any valid objection. He thought it would be generally admitted that this clause gave adequate protection to any pupil who desired secular instruction without interfering with religious instruction. The House would observe that the Bill defined what was called a school, and this definition was introduced to prevent this scheme being made use of by those who simply made use of it for the advantage of a system of cramming. A school then was held to mean any educational institution, not being a National School, to which the pupil had made 100 attendances within a certain specified time—about nine months. The object of this was to provide a guarantee that an institution which obtained a share of the public money should be a *bonâ fide* school, and the conditions to this Proviso were not unnecessarily stringent. They had excluded National School teachers from result fees. The object of this was that these National Schools having relegated to them the duty of imparting primary education, they thought that it would be placing a temptation in the way of the managers of these schools if they were induced to devote the time of their teachers to any considerable extent to a limited number of pupils who might show a greater capacity and promise than others; and that the tendency under the scheme would be that the main functions of the National Schools would run considerable risk of neglect. He thanked the House for the attention with which he had been listened to, in giving what must have been to a great extent a repetition of matter which was tolerably well known to many hon. Gentlemen; and he would merely, in conclusion, call attention to the position in which the question now stood. The fact that Parliament had been in Session already for six months would suggest that unless this Bill received, as he hoped it would receive, general concurrence, it could not pass this Session; and if the Government had not felt that the Bill would receive this general concurrence, they would not have felt it to be their duty to submit it to the House of Commons. The time which was now at their disposal was very limited, and while they did not shrink from a full examination of every clause and line in the Bill, he would remind the House that, unless the criticism of the Bill was brought within reasonable limits, the chances of passing it would be seriously jeopardized. He anticipated that Gentlemen who took part in the discussion of the Bill would do so with the view of expediting its passage through the House. He trusted that no extraneous topics would be introduced, and that such questions as Women's Rights or the constitution of Endowed Schools, or the extension of the system proposed in the Bill, would be relegated to a probably not very distant future. The right hon. Gentleman concluded by moving the second reading of the Bill.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. J. Lowther.*)

Mr. CHARLES LEWIS, in moving that the Bill be read a second time that day three months, said, there could be no doubt there was something remarkable, and indeed extraordinary, in the conduct of the Government with regard to this Bill. It was one of the few Bills mentioned in the Queen's Speech. It was a measure which had been heralded by discussions and investigations; it was simple in its construction, and not complicated in its details; it must have been framed some time ago; it was a measure in which the various religious parties in Ireland were deeply interested; and, notwithstanding all that, the Government kept the Bill in the drawer until five months of the Session had elapsed. They were now asked, under the pressure of a desire to obtain the Queen's College Estimates, to hurry this measure not only through the stage of second reading, but through the stage of Committee, without there having been any actual discussion of its merits.

It was most remarkable that while, when the measure was introduced "elsewhere," there was a foreshadowing of a discussion on the second reading and indications that serious Amendments would be moved in Committee, so far from the Bill receiving anything like a critical discussion, it passed through Committee without so much as the alteration of a word. He ventured to say that at that moment the real nature, scope, object, and result of the measure were wholly unknown throughout Ireland. He maintained that the measure constituted the commencement of a course of proceeding which was practically a reversal of the conduct of Parliament during the last 50 years, and meant nothing more nor less than the inauguration of a system which must end in concurrent endowment of education throughout Ireland. The result of the Bill must be to endow schools which were now exclusively sectarian, which were likely to continue sectarian, and which were not only likely to continue sectarian, but to be made more intensely sectarian by the operation of its provisions. They had been told that the measure had been received with almost universal approbation—a fact which in itself tended to excite suspicion. The circumstance that by a measure of this sort a Conservative Government were able to propitiate a class of opponents who were not usually very easy of propitiation was somewhat strange; but he believed there was a desire and tendency by the Bill to make matters pleasant all round. He thought, too, that the remarkable concurrence of sentiment among the Roman Catholic Representatives in respect of the Bill was to be attributed not only to the enactments which were to be found in the measure itself, but also to what must necessarily follow in consequence of it. The Bill had, indeed, been received with a suppressed enthusiasm by the Roman Catholic Party—an enthusiasm which had been prudently suppressed; it had been received with a gratitude which was strongly tinged and flavoured with an expectation of further favours yet to be conferred. The Bill proceeded upon what had been described as the present condition of Intermediate Education in Ireland—defective in quality and inadequate in quantity. But a word ought to be said on behalf of the intermediate schools in Ireland which had done such good service to the State. It was not correct to describe the quality of the Intermediate Education given in the middle-class schools in Ireland as deplorable. When he spoke of Foyle College in Londonderry, of the Academic Institute in Derry, of the Royal Schools of Raphoe and Armagh—which institutions he knew and valued—he denied that they were, in any respect, unfit competitors with similar institutions in England or Scotland. The real want, so far as Intermediate Education in Ireland was concerned, was one which the Bill could not by any possibility supply—namely, the number of schools available for the middle classes. It had been shown that the number of such schools had been gradually diminishing in Ireland; there were now only about 500 such schools, and what was the inducement held out by the Bill to increase the number? It proposed to set aside a sum which would at most produce £35,000 a-year. That sum would be divided into three parts—expenses of management, prizes and exhibitions, and next the satisfaction of the results branch. They started with two paid Commissioners, a staff of examiners, and all the expenses of the office. These items, he thought, would absorb £10,000 a-year. The remaining £25,000 a-year was the sum, the appropriation of which was to furnish the stimulus required to put Intermediate Education in Ireland on its proper basis. But the £25,000 a-year should be divided into two parts. The prizes would, of course, go to the scholars—the result fees formed the inducement for the establishment of new schools, and he calculated that they would probably amount to £10,000 a-year, a sum which would represent 2,000 scholars, an average of £5 for each scholar. What inducement would that be to any man to start a new school? To give anything approaching a substantial result the proprietor should be entitled to count on at least £100 a-year from results fees. For this sum he should have about 30 successful pupils, and to secure that number he would require to have about 120 scholars. Well, further, in a Bill like the present, he should expect to find a provision in reference to loans for building new schools; but the measure was entirely silent on that subject. Then, again, examinations were to be held in various parts of the country. Many parents were wholly unable to bear the expense of sending their children long distances, and he thought the House might reasonably expect to find some provision for the assistance of poor scholars to enable them to travel to distant towns for the purpose of being examined. He had spoken of what the Bill did not do. Now he would refer to what it would accomplish. It would not, he thought, be disputed that the intermediate schools in Ireland were, as between the two classes, Protestants and Roman Catholics, practically and substantially denominational. He had made inquiry with reference to one or two schools, and he found that in each case there was only one Roman Catholic attending the school as a day scholar. It did not detract from the state of things with which they had to deal that all the existing intermediate schools were practically denominational, and in the most severe sense of the term. In one school all the children were Roman Catholics and in the other all Protestants. While he thought this Bill a step in the direction of concurrent endowment, he admitted that it must have that effect in boarding schools, because there was no obligation on the managers of such schools to accept day scholars; and, therefore, the question arose whether the Bill would have the effect of diminishing the sectarian character of the schools generally? This question he commended to the consideration of the House. It was proposed in the Bill that the results fees payable to the managers of the schools should be drawn from public funds; but there was no provision for inspection of the schools, and as far as he knew, such a provision had always been included in English and Scotch Acts dealing with education by subsidies out of public money. No public grants ought to be made to schools except the Government Department of Education had an opportunity of deciding for themselves whether the system was satisfactory, alike as to the quality of the education afforded and the preservation of respect for the religious susceptibilities of the children educated and of their parents. He might be told in reference to this to look at the Conscience Clause contained in the Bill. He had looked at it; and he asked himself who was the father and who was the mother of it. He could not find that it was framed on the Conscience Clause of any of the other educational measures which had been brought before Parliament. Under it there was not, as under the other Conscience Clauses, provision made for specific hours of the day in which secular education alone should be given. Still less was there anything requiring managers of schools to receive as students all the pupils who might be presented to them. There was nothing in the Bill which would prevent the managers of any boarding school, desirous of closing their doors against the members of a denomination different from that of the majority of their scholars, saying—"We will take no day scholars." There was nothing which would enable a man to say to those managers—"You are receiving Government pay; you are bound to receive these scholars; do the best you can with them—but do not interfere with their religious belief." That being so, what was the object of the particular clause in the Bill referring to this matter? The object was manifest, it was to endow all and sundry—Roman Catholic schools, Episcopalian schools, and Presbyterian schools. This was the way in which the Conscience Clause would be avoided. It would be avoided by boarding schools saying that they did not take any day scholars, and it would be avoided by day schools excluding any scholars whose presence would be unacceptable. In this Bill there was nothing which required any given number of hours per day to be devoted to purely secular instruction. No provision was to be found in it such as was to be found in other Acts where the Conscience Clause was protected by a system of Government inspection. There was, therefore, in the Bill a Conscience Clause so weak in its character, so ineffectual in its operation, not possessing even the protection of Government inspection—such as was provided for schools where a much more powerful Conscience Clause was provided—that he conceived himself justified in thinking that the Bill meant a great deal more than it said, that it was the commencement of a reversal of that system of legislation which had prevailed in this House for 50 years, at all events, with reference to education—namely, the system of endeavouring to bring all the scholars of the various denominations into one school, and not to separate them into several schools. After the Queen's College had been established, after Trinity College had been opened, after the Irish Church had been disestablished, they were now to commence a totally different system. There were no provisions in the Bill as to the particular subjects of examination. There was no provision requiring any general test as to the efficiency of schools the managers of which were to receive results fees. He would, therefore, ask whether an immediate effect of this Bill would not be to encourage the process, on the part of managers of schools, of cramming three or four promising boys, it might be, in their schools, to the detriment of others, as the managers had the opportunity of selecting any three of the subjects in which the boys were to pass? He came to the real turning-point of the Bill. Who were to be the Commissioners? He had put a Question to the Chancellor of the Exchequer whether he would give the House the names of the Commissioners before or while the House was in Committee on this Bill? These Commissioners were entitled to make regulations as to the examination of students and the appointment of examiners; they were to prescribe the powers and duties of those examiners; they were to define the qualifications of the students, also the subjects and nature of the examination; the fixing of the system of payments for results in the Schedule of the Bill; and, above all, they were to be the parties who were to be satisfied with the due observance of the Conscience Clause such as it was. It was, therefore, that Board which constituted the turning-point of this most important measure. What had been the sad experience of similar Boards in Ireland? The action of one of those Boards was perfectly well known in the House and throughout the country. They had heard something of the O'Keefe case, and something of other cases which had shown that the National Education Board in Ireland did not give as much hope as to another Board of Education to be formed on the same line. Was this Board to be equally divided between the two great religious divisions in Ireland—the Roman Catholic and the Protestant—with a casting vote to be given to somebody? Were they to have superannuated Judges as members of that Board? Were they to have religious bigots? Were the Commissioners to be exclusively ecclesiastics, or partly ecclesiastics and partly laymen? Were they to have men of independent thought, high literary culture, liberal ideas—men who had devoted themselves in time past to education, and who were likely to know something of the wants of the country? He had been greatly surprised, and he deeply regretted that the Chancellor of the Exchequer had told the House that Her Majesty's Government did not intend to give them any information as to who were to be the Commissioners. He would not, of course, be content with that answer.

THE CHANCELLOR OF THE EXCHEQUER said, the hon. Member must have misunderstood him. What he had stated was, that he would not be prepared to name the Commissioners before the next stage of the Bill.

MR. CHARLES LEWIS humbly apologized for having misunderstood the right hon. Gentleman; but the mistake had brought out in a more prominent way what had only been a negative answer. He did not believe the difficulty of the education question in Ireland could be dealt with unless the head of the proposed Board was made a responsible Minister in Parliament. He had no doubt the House would be told by the Treasury Bench that these Commissioners would be bound by the 5th clause, which required the rules made by the Commissioners under this Bill to be laid before Parliament and declared that they should be subject to be set aside within 40 days after the meeting of Parliament. But there were many difficulties in the way of private Members; and besides, these were days of obstruction, and there were Members in that House quite equal to the wasting of 40 days in a Session. Moreover, the provision as to setting aside, within 40 days after the meeting of Parliament, would not be worth a pin's head against the Government of the day, who could contrive to prevent a private Member having an opportunity of bringing forward a Motion to set aside the rules. Coming next to the funds which were to be used, he found that the right hon. Member for Greenwich, in his speech introducing the Bill disestablishing the Irish Church, set aside as inadvisable and improper the appropriation of the surplus funds of that Church to Irish education, on the ground that such an appropriation would be likely to lead to that sectarian bitterness which it was one of his great objects in introducing that measure to remove. But the Conservative Government, who were then loud in the cry against altering the Act of Union, were at least parties to the Act of 1869, and assented to a clause introduced into the Bill for the very purpose of preventing the surplus being applied to education. The 68th clause of the Disestablishment Act of 1869 provided that the surplus derivable from the disendowment of the Irish Church should be mainly applied to the relief of unavoidable calamity and suffering. He quite admitted that the clause said "mainly" applied; but it was a most remarkable and deplorable thing that the first Government which should propose to alter the clause should be a Conservative Government, and that they should alter it by making things pleasant all round, and introducing a system of concurrent endowment, which the House had resisted perseveringly for many years. The destiny of the surplus, under the 68th clause, was a destiny connected with the very poorest. But this Bill, and that introduced by the hon. and learned Member for Limerick (Mr. Butt) last year, seeking to appropriate £400,000 for the purpose of establishing a Roman Catholic University, proposed an appropriation for the poorest in order to give it to the middle class. Thus, the Legislature was called upon to depart from the policy which it asserted when the Irish Church Act was passed. He next came to the question, what would this Bill lead to? He thought he would not be making a wrong guess, if he said that it was a mere pilot fish put forward by the Government previous to the introduction of a new Bill endowing a Roman Catholic University. Some expressions had fallen from a noble Lord in "another place" which strongly tended to this conclusion. The very convenient £3,000,000 or £4,000,000 of surplus which was to be found in the spoils of the disestablished Irish Church would be very soon appealed to for the purpose of supporting a more direct denominational measure than this. Was he wrong in assuming that there was some reason for the wondrous unanimity among the Roman Catholic Members of the House? ["Hear, hear!"] He accepted that cheer as an acknowledgment that this was the first concession they had received, and that it was received by them as a direct endowment of their own class. ["No, no!"] Well, as there were two answers, they would see, in the course of the debate, which was the right one; but he thought the first would turn out to be the truth. He thought the House had become supine on the subject of mixed education. What had happened the other night? The hon. Member for Roscommon (the O'Conor Don) brought forward his Motion for extending University Education in Ireland, and who did they find voting for it? Fifteen or 20 of the most extreme English Liberals, among whom were his hon. Friend the Member for Birmingham (Mr. Chamberlain), and his hon. Friend the Member for Burnley (Mr. Rylands). When he found those hon. Gentlemen voting for a Motion having for its object the State support of denominational education in Ireland, and brought forward by those whose views were unmistakable, he should like to hear those English Liberals state what their policy was. If they could swallow that Motion, they could also swallow this Bill. He was utterly careless about the division on that occasion; he knew that he would be in a miserable minority; but he wanted the House and the country to act with the full consciousness that the Bill was really the commencement of concurrent endowment. He held in his hand a document, issued within the last few days by the Catholic Union in Ireland, which stated that the success of that measure depended on the constitution of the Board, and that Commissioners and other officers should be selected having the confidence of the Catholic people of Ireland, which, of course, he thought only reasonable. The Manifesto went on to say, that certain steps must be preliminary to what they were all anxious to consider—namely, the question of University education; and that they hoped that early next Session a Bill would be introduced to remedy the grievance under which the Roman Catholics laboured. Was he wrong in saying that this Bill was looked upon by those who would be the chief recipients as the precursor of a measure of a still more serious character? It was impossible to sever this question of Intermediate Education from that of University, or that of primary education. They must all stand or fall together. The Bill was a direct encouragement to the whole Roman Catholic Hierarchy to commence again that attack on the system of primary education in Ireland which they had been pursuing for years, and also to continue their hostility against the Queen's Colleges which they had carried on so unceasingly. The cause of united mixed education was identified with freedom of thought, liberal education, social unity, order, and loyalty. People in England could not well understand the importance in Ireland of keeping in the same school boys who might, if educated separately, be taught to regard each other as enemies by those whom they considered their religious teachers. The cause of united mixed education was, therefore, a sacred cause. It was because he believed this was the commencement of a course which would be downward and perilous in itself, both to the Ministry that commenced it, and to the cause of education in Ireland, that he opposed the Bill, and moved that it be read a second time that day three months.

MR. VERNER seconded the Amendment.

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day three months."—(*Mr. Charles Lewis.*)

Question proposed, "That the word 'now' stand part of the Question."

MR. GLADSTONE: I shall not attempt to enter into that portion of the speech of the hon. Member for Londonderry (Mr. Charles Lewis) in which he expressed his estimate and suspicion of the future intentions of the Government, in respect to education in Ireland. It will be for them to say, so far as they may think necessary, whether this measure is introduced by them as a prelude to other and greater changes, and in particular to the direct adoption of denominational education as a subject of public favour and public grants in the higher Irish education with which the Universities are connected. It is enough, I think, for us to look at this Bill as it is in itself, and I am not disposed to lose any time in stating that I, for one, am very much disposed to give it a cordial support. The principle of the Bill, it appears to me, does not menace anything that has heretofore been done by Parliament in the sense of promoting mixed or united education. It aims at supplying a want and filling a vacuum now existing in Ireland, which it is desirable to fill and supply. My belief is we may proceed perfectly well upon the general lines of this Bill, so to deal with the question as not to raise any of those thorny subjects full of the painful recollections and jealous fears which the hon. Member, not unnaturally, with the views he holds, was led to introduce into his speech. I conceive the principle of this Bill to be, not the endowment of denominational education, not the establishment of concurrent endowment; but the adoption of this one practical proposition—as there is a deficiency in quantity, and likewise a deficiency in quality in Intermediate Education in Ireland, we will set about meeting that case in such a way and by such machinery as shall go most directly to its aim without entering, if it be possible to avoid them, on controverted questions—that is to say, we are about to proclaim to the youth of Ireland seeking Intermediate Education, largely including therein the preparatory stages of education, which is preparatory to the higher, that we will endeavour to give them assistance and encouragement in the prosecution of their work by applying a certain portion of the national funds, now available for the purpose, to the recognition of attainments which they shall achieve in secular education, asking no questions as to the place in which they were educated, as to the persons by whom they were educated, or as to the religious principles in connection with which that secular education was obtained. That is a principle perfectly equal as regards all persons and parties in Ireland. If in Ireland there is a preponderance of opinion in favour of mixed and united education in intermediate schools, those who entertain that sentiment will be under no disadvantage whatever, direct or indirect, by our adopting the principle of the present Bill. If, on the other hand, there be many in Ireland who prefer for their children a denominational education, then, undoubtedly, without receiving a farthing of public money for purposes purely denominational, they will be placed in this condition, that they will not be excluded from the advantages open to those who prefer a mixed education. I need not say in connection with antecedent circumstances that I could not consistently object to a Bill founded upon such a principle. For many years we have sought to establish and to act upon the proposition that no man ought, in consequence of the belief or opinion he may entertain as to the question between denominational and mixed education, to be debarred from the attainment of degrees in Universities or from other advantages which the State may think fit to offer. I certainly must make this concession in fairness and candour to the hon. Member who has just moved the rejection of the Bill. It is quite obvious that this principle may carry us beyond the present Bill. It may be that this measure is introductory to other measures applying a similar principle to University education. It may be that the Government intend — or, whether they intend it or not, it may happen in future—that Parliament, having passed this measure, may be asked in like manner to say that degrees shall be given to all persons in Ireland irrespective of the opinions they may hold, and irrespective of the practice they may think fit to adopt, in making their choice between mixed education on the one side, and denominational education on the other. It may likewise be said, in conformity with the principle of this measure that, so far as secular knowledge is concerned, we ought not to confine the principle to schools, but ought to extend it to Universities, giving encouragement wholly irrespective of questions relating to religion. At the same time, I do not conceive that any Gentleman sitting on either side of the House would fail to perceive that there is a broad and intelligible distinction between the adoption of that proposition and giving sanction to a measure which, whether it be right or wrong, is not such a measure as the hon. Member opposite apprehends, giving direct endowment to religion in connection with University or school teaching. I do not feel, therefore, so far as I am concerned, seeing that I have never given direct or indirect support to the endowment of a Roman Catholic University, that I am involved by assenting to the principle of this Bill in any inconvenient consequences in assenting to University education in Ireland; while, at the same time, I can conceive that a large part of the practical grievance which I believe to exist in Ireland on the subject of University education in Ireland as it did exist six or eight years ago, when we endeavoured to remove it, may be removed by acting upon the principle of this Bill. Well, then, Sir, the principle seems to be in conformity with that for which we have long contended—that no man, on account of his religious opinions or preferences, is as to education to be placed in a position of disadvantage as respects secular knowledge or any of the honours and rewards which may be assigned to a secular knowledge by the wisdom of Parliament. Then I come to the question as to the source from which are to be derived the funds by which the Government propose to work this measure. But I would venture to say to the hon. Member who has just sat down that I think there is something in the apprehension he expresses as to the fears which may possibly be aroused with respect to the subject of concurrent endowment, and which it is desirable to avoid awakening; but I may endeavour to point out how all apprehensions of that kind may be avoided. What is the source whence this money is to be drawn? It is perfectly true that in introducing the Bill to disestablish the Irish Church in 1869, I disavowed, on the part of the Government of that day, all idea of applying the funds derivable from that source, or any portion of those funds to education. The hon. Gentleman has correctly stated that, according to the deliberate judgment of Parliament, the funds are mainly to be devoted to other purposes. I admit it is something of an anomaly when there is a provision in an Act of Parliament which we do not propose to alter that the funds shall go mainly to another set purpose and not to education. There is, perhaps, something of solecism in proposing to appropriate out of the surplus of the revenues of the Irish Church £1,000,000 for the purpose of Irish education. At the same time, I do not attach a capital weight or importance to that consideration. When we set aside the purposes of education for the disposal of the surplus, it was not on account of any intrinsic impropriety in any such application; it was, on the contrary, entirely upon grounds which were of a special and partial character. One of them was this—we thought if we were to apply to education in Ireland the surplus revenues of the Irish Church, it would excite apprehension on the part of the Irish Members that their country was not to obtain its due share of public grants for primary purposes from the Consolidated Fund; and we entertained a fear that if we were to attempt anything of the sort the religious jealousy and difficulties which would be imported into the discussion would render it very difficult, if not altogether impossible, for us to attain our ends. I believe this opinion had great influence at the time, and that if we had made a proposal of such a nature as that which is now before the House, we should not have been so happy in keeping the subject apart from those religious jealousies and difficulties as I trust the Government may be, and heretofore have been. This is not the first time that such things have happened. It was Sir Robert Peel, with a Conservative Government, who endowed the College of Maynooth? But why was it that it was a Conservative Government that endowed the College of Maynooth? It was because, undoubtedly, if the same thing had been attempted by a Liberal Government, the endowment never would have been permitted by the Conservative Party. I believe we are now in exactly the same condition, and that the Government are proposing measures agreeable to our principles, and which, I hope, will have our support—measures which, if they were proposed by the Liberal Party, would be destined to a less amicable reception and a more stormy passage through the various stages of their Parliamentary progress than this Bill is likely to experience. I, therefore, not perceiving that education is in itself an improper subject for the application of this money, am perfectly prepared to give due weight to the authority of the Government as to the source from which they propose to draw the funds; and I am also prepared to give great weight indeed to the Irish sentiment on the question. I apprehend that, apart from all controversies as to Irish ideas, the disposal of this surplus is certainly a question in which Irish ideas ought to have a very large influence. I, therefore, make no difficulty about the subject of the deviation from the spirit—if there be a deviation, and I do not care to inquire how much deviation there be—of the 68th clause of the Irish Church Act. I make no difficulty as to accepting the principle on which this Bill is proposed. When I pass from the principle of the measure to the details, I will make a suggestion for the consideration of Her Majesty's Government which, although it may appear to make a considerable alteration in the form of the Bill, is not only offered in good faith in reference to the purposes of the Bill, but likewise is recommended because it would greatly improve the construction of the Bill with regard to the attainment of the objects in view. The hon. Member who has just sat down draws a formidable image of concurrent endowment, a subject in which I cordially hope Parliament may never find itself involved. If ever there was a time for concurrent endowment, that time has altogether passed by. The substance of that proposal in Ireland, I trust, may never come before us; and, as to the other idea and image of that proposal, I feel it to be accompanied by so many dangers and disagreeable results that I would, if possible, avoid any appearance of whatever could be represented as belonging to that particular subject. The hon. Member says very great difficulty and jealousy attended the appointment of Commissioners. These difficulties and jealousies will be not political, but religious difficulties. The same thing appears to emerge with reference to the appointment of Secretaries. It is proposed that there should be a Secretary representing the Roman Catholics, a Secretary representing the Presbyterians, and a Secretary representing the members of the Disestablished Church. I would gladly get rid of all these distinctions, and I think it would be wise, if possible, to shape the Bill as soon as possible so as to dismiss those ideas from our minds. Again, it is pointed out that by the fees that are to be given for results, the recipients of these fees will, in a certain sense, assume the character of public officers and public functionaries; and it is upon that fact that the hon. Member apparently founds himself when he says he sees in this Bill almost the principle of concurrent endowment. It appears well worth the while of the Government to consider whether there is any value at all in that provision of the Bill which provides for the payment of fees to the managers of schools, and whether the money which they propose to give would not go far more directly to its purpose, and would not steer far clearer of all denominational and religious difficulties, if they were to bestow the whole of it, instead of part, upon exhibitions and prizes which would go straight to the young men. It may be said that it is necessary that something should go to the teachers. In that I entirely agree. But the way for its reaching the teachers is prepared through the pupils. If you make it worth the while of the pupils to seek for instruction, they will make it worth the while of the teacher to give to them the instruction. Now, under this Bill as it stands, I take the strongest case—the case of Maynooth. I apprehend it is perfectly clear that pupils at Maynooth might appear as candidates for exhibitions and prizes. There is, in the limitation of 18 years, a clause which will admit Maynooth; for Maynooth, as I understand, is divided into two departments perfectly distinct from one another. As regards the junior department, unquestionably the young men would be competent in respect of their secular knowledge to compete for exhibitions and prizes under this Bill. If they can, I think it quite proper that they should, and I think their competing would tend to improve the spirit and energy of Maynooth without inflicting injury of any sort. But I am not by any means sure that the teachers might not qualify to receive fees under the second provision of this Bill, which grants to the managers of schools certain payments. I do not say that it would be necessarily harmful in itself, but that it would be an arrangement tending to create great jealousy; and, unless it be necessary for the purpose of education, that is a feeling which we ought to be desirous of avoiding. In the same way much has been said about the Conscience Clause. There is in some quarters a great desire to get quit of Conscience Clauses. On the other hand, the hon. Member says—"Strengthen the Conscience Clause and make it more stringent. Carry it further into the details of the schools." If that is done, it is very possible that a rather serious issue may be joined now or hereafter upon some question of that clause. But then the Conscience Clause arises entirely out of that provision of the Bill to which I have referred. If you are content to give your exhibitions and prizes to young men, asking no questions at all except as to their competency, you get rid of the whole difficulty as to the Conscience Clause—it has no place in the Bill, except in reference to the schools in which the managers are to be entitled to receive fees. The hon. Member anticipates that a very formidable portion of the £35,000 a-year which he estimates as the proceeds of the £1,000,000 will be absorbed in expenses. Undoubtedly, the more you simplify the Bill the less will be the expenditure under the Bill, and the less will be the amount of the deductions from the amount which will go direct to the pupils. If you are to have a double set of machinery at work —one for examinations with a view to exhibitions and prizes, and the other in the schools for the purpose of granting to the managers of schools fees upon the results achieved—it is evident that your machinery will be operose to a certain extent. If you throw the whole force into granting exhibitions and prizes, you will have only one set of machinery for conducting the work. One part of the scheme, as I understand it, is that you will have an agency circulating about the country, examining school by school to ascertain where to award a small sum in respect of the pupils. You would, therefore, have a large net sum out of the £35,000 to devote to the purposes of the Bill if you simplify it by excluding the fees to managers and found exhibitions and prizes for pupils. I throw out these suggestions with a desire that this Bill should be, if possible, free from serious difficulties. If you found these exhibitions and prizes it will be impossible for any degree of jealousy to lead any party to impute to you those further schemes of intention so formidable to the mind of the hon. Member. There will be opportunities hereafter of entering into details. It appears to me that in simplifying the measure in that way a great good will be effected in more ways than one. There are just two other points on which I would venture to say a word. There is a great anxiety in Ireland that the benefits of this measure should be extended to young women as well as to young men. It appears to me that is a most reasonable anxiety. We have, upon the whole, done rather less than justice to women as compared with men. There is something, too, in reference to the source from which this money is to come which ought not to be lost sight of. It is to come from purposes of direct religious endowment now gone. Unquestionably, when it was applied to the purposes of direct religious endowment, that portion of creation profited by it at least as largely as that to which we ourselves belong. That may be a secondary consideration; but, upon the grounds of general justice and policy, at a time when women themselves, quite irrespective of public aid, are making such great efforts for their own advancement, and when so just a feeling has arisen and is shared by those who stop short of supporting their political enfranchisement that they receive less than their due, I am most anxious to press upon Her Majesty's Government that they should make no scruple or difficulty as to admitting them in the fullest manner to share in the advantage of the Bill. The simplification of the form of the measure which I have ventured to recommend would likewise render it more easy to attain that object. The other suggestion I wish to make is this—that, as the proposed plan is an experimental one, and as the State machinery of education in Ireland has become rather inconveniently complex between the Queen's University, the National Board, and the new Board now to be created, I think it is desirable that we should be entangled as little as possible with the consideration of the vested interests of the persons who will be engaged in working out the new system. I therefore submit for the consideration of the Government whether it would not be well that, when the appointments to paid offices are made, they should be for a term of years, and not for life, so as to facilitate any future re-construction or consolidation which might, as the result of a larger experience, be found desirable? I hope I have said nothing to belie that which I stated at the outset with regard to my sincere anxiety to promote the passage of the Bill. Sir, I am heartily glad that the Bill has been introduced. No doubt it would be far better if it could have been brought in at an earlier period of the Session; but we all know the difficulties with which every Government has to contend, and when we consider the enormous mass of Business to be transacted during the Session, it would not be fair to convert the fact into a subject of cavil. Setting this aside, then, and all secondary matters of detail in the structure of the Bill, I heartily hope that, even at this late period of the Session, it may pass as speedily as is consistent with its full consideration; because I think it is a new boon conferred upon the people of Ireland in conformity with justice and right, and one which will tend more and more to attach them to the laws and institutions of the Realm.

MR. NEWDEGATE: Sir, I feel grateful to the hon. Member for Londonderry (Mr. Charles Lewis), because he has succeeded in provoking a discussion on the second reading of this Bill; for Bills of this importance ought not to be allowed to pass their second reading without debate. Such a proceeding does not always imply that the House is satisfied with the principle of the Bill; but rather, sometimes, that the House desires to ignore the dangers and difficulties that may be incidental to the adoption and enforcement of the principle of the Bill. The right hon. Gentleman the Member for Greenwich (Mr. Gladstone) has paid a very singular compliment to the Conservative Party. For he said, that when he was a Member of the Conservative Party, the Bill for the Maynooth Grant was introduced and passed, because, if it had been proposed by the Liberal Party, it would certainly not have been adopted. The right hon. Gentleman, therefore, considers that the Conservative Party has been habitually and, he infers, necessarily must be untrue to its principles; and I confess that, as respects the latter part of this Bill, the Conservative Peers have shown themselves less true to their principles than the right hon. Gentleman has proved true to the remnant of his Conservative instinct, when he pointed out that the hon. Member for Londonderry was perfectly correct in his allegation, that if we should endow the managers of those schools, as proposed in these latter clauses, we should proceed on the principle of concurrent endowment. That was a candid and honest warning on the part of the right hon. Gentleman, and I do rejoice that there is still such a remnant of Constitutional feeling pervading the nature and instincts of the right hon. Gentleman, that he would not willingly endow the Roman Catholic Hierarchy in Ireland. The right hon. Gentleman now stands with the Liberal Party; and he knows that that Hierarchy, though they joined with and availed themselves of the assistance of the Liberal Party against the institutions of this country, are now ready and prepared to avail themselves of the assistance of the Conservative Party; in fact, they are indifferent to both Parties. The chief of their religion has declared himself and them to be the deadly enemies of Liberalism and of Freedom in all its forms. This is an ugly fact, which it has become the fashion to ignore. The time has passed when this fact can be overlooked. This House knows this Ultramontane power — knows that the power of this arbitrary system of Ultramontanism has made itself felt in the disorganization of this House itself. While so trampled in the dust have been the Protestants of Ireland—["No, no!"]—yes, I repeat, so trampled in the dust have been the Protestants of Ireland, that this is the first occasion on which a Representative of the Protestants of Ireland has ventured to enunciate the great principles of which they were formerly the recognized defenders. Those principles have always been treated as an offence to the Roman Catholic Hierarchy in Ireland. To crush the expression of the principles of Protestant freedom has always been the object of the Ultramontanes. I know it has been held disagreeable to recognize this fact, but there is a power in existence which we must resist if we would preserve freedom of intellect to Ireland; yet to do this is at once our duty and our interest as Protestants. I, for one, have never shrunk, at whatever personal cost, from a sincere, though it may have been a feeble adherence to and advocacy of the great principles of freedom, which are enshrined in the Protestant Constitution of this country. The operation of those principles is not an accident. Freedom is not an accident—it is a treasure that must be defended and preserved. Such has ever been my conviction, such the basis of my action. I seconded the Amendment of the hon. Member for Londonderry just now, because I have at last seen and heard him as the first among the Members of this House who ought to represent the Protestantism of Ireland, venturing to point out that by this Bill the House is likely to be launched upon a course which, if pursued unwarily, may crush freedom in Ireland as it was crushed in the Pontifical States, when under the domination of the late Pope; as it was crushed in Naples under the sway of the Bourbons; and as it was much more lately crushed in France. The capacity for freedom is a mental quality. It is our duty so to train the nation as to fit it for the enjoyment and defence of its freedom. If the children of this generation, whether Irish or English, are to be capable of such exertions as those by which their forefathers distinguished themselves, then it is equally our duty to oppose in this House, however unpopular it may be, all educational measures that pave the way for the domination of the Ultramontane despotism which is the more grinding, because it is spiritual and mental; for it deprives those whom it envelopes not only of freedom but of the capacity for freedom, by rendering them incapable of exercising an unfettered and independent mind and judgment. I believe that the hon. Member for Londonderry does not intend to divide the House upon this stage of the Bill; and he is right, for it is only to part of the Bill we object. I venture to say that, if the Bill had been limited to its first portion, as the right hon. Gentleman the Member for Greenwich has recommended; if, confining its operations to the reward of merit, whencesoever it come, by instituting scholarships and prizes as the result of public examinations; if this Bill had abstained from mixing itself up with the discipline of establishments by inspection, many of which in Ireland, being monastic, are illegal; if this Bill had abstained from mixing itself up and identifying itself with the internal system of these establishments, and confined itself to the reward of merit, as discovered by examination in pupils, whose success would insure a just recompense to their teachers; and if that recompense depended only on their exhibition, through these pupils, of the merit which this House can safely recognize, I should never have seconded the Amendment which has been moved against the second reading of the Bill. But I have done so for another reason. Continual attempts have been made by an abuse of debate to destroy the deliberative functions of this House, and now we are apparently to witness another attempt to achieve the same object by the preservation of a studied silence on the part of the supporters of this Bill. I trust that no Bill which is pregnant with the important results that this measure if passed unaltered must entail, will ever be suffered to pass through this House unnoticed, simply because those whose instructors are interested in the undue extension of the principles embodied in the latter part of the Bill find it convenient that they preserve silence.

MR. O'SHAUGHNESSY denied that there was any wish on the part of Irish Members to avoid discussion of the Bill in all its details. Avoiding various topics which the hon. Member for North Warwickshire (Mr. Newdegate) had brandished in the face of the House, he wished to say that the speech of the hon. Member for Londonderry (Mr. Charles Lewis) had greatly disappointed him. The hon. Member had admitted that the present system of Intermediate Education in Ireland was unsatisfactory, and he proceeded to find fault with the proposals contained in the present Bill; but he did not attempt to suggest a remedy for the defects in the system of which he complained. It was the duty of the hon. Member, as the Representative of an Irish constituency, not to content himself with negative criticism, but to make a direct proposal for the purpose of remedying any defects which he thought he saw in the Bill. The hon. Member said he objected to the principle of payment by results for the reason that it tended in the direction of concurrent endowment; but he forgot that the principle was already admitted and acted upon in the national system of education in Ireland, and that it had been found to work well with regard to both denominational and mixed education. On the subject of the payment by or for results, the hon. Member for Londonderry had objected that it would take a larger number of pupils than was likely to be obtained to make up a sufficient payment to the managers; but here, again, he seemed to lose sight of the point, which was, that the main advantage of the payment for results lay in the fact that it encouraged schoolmasters to keep the general body of their pupils up to a high standard of efficiency, instead of employing their time in cramming particular scholars for special examinations. The real value of payment by results would be the test which it would afford to parents, who, by such means, could ascertain that the teachers in the Board Schools were doing their duty to the children. The system of results fees would also be of great value in encouraging the establishment of private adventure schools for children whose parents could not afford to send them to boarding schools, and in this sense alone would these fees have a pecuniary value. It was most important that, as the Bill was to be administered by Commissioners, those Commissioners should be carefully chosen, and he hoped this would be clearly kept in mind. Everything in the Bill depended upon the system and spirit in which its provisions would be administered. The Commissioners should be selected for their fairness, ability, and experience—for their sympathy not with any particular creed or party, but with all creeds and all parties. They should not be mere scholars, but men of prudence, who would be able to apply their knowledge and judgment with common sense. Notwithstanding anything that might be said to the contrary, he had no doubt that such men were to be found in Ireland if the Government would only look for them. He should, dealing with another branch of the subject, like in the course of the debate to hear something from the Government as to the constitution of the Inquiry into the Endowed Schools, Ireland, which the noble Lord the Member for Woodstock (Lord Randolph Churchill) induced the Government to agree to a short time back. When he brought the subject forward in 1874, he suggested that the endowed schools should either share their endowments with the great body of the people in Ireland, or allow the rest of the people of Ireland to enjoy the funds of any Intermediate Education system which might be made, they themselves retaining their endowments. This Bill not only left them their own endowments, but entitled them, in a broad and liberal manner, to participate in the advantages provided by it. Some day or other the position of the endowed schools, if they were left to enjoy the old and the new advantages, would become the subject of debate in the House. Again, had the Government considered the claims of ladies in reference to this Bill? Deputations, including ladies of every creed, waited on the Lord Chancellor, and they received answers which proved daily more encouraging to the demand they made. It had been suggested to him that the wording of the Bill already admitted them to share its advantages. If this were so, he should be very glad; but if it were not so, the question was worthy the consideration of Her Majesty's Government, as it was considered to be of such importance in Ireland that it would certainly be pressed on their attention at no remote time. Were the Government prepared to supplement the fund, which appeared very narrow as it stood, with something for the benefit of girls? He sincerely hoped that they were. The programme set forth in the Schedule to the Bill was intended for boys; but he believed that women were entitled to an education as broad and as comprehensive as men received, though he hesitated to say that such education should be absolutely identical with that of men. Had the Government considered what would be a proper programme for women? On the whole, he regarded this Bill as an experiment which, though not without its imperfections, was wisely and honestly proposed for the education of the Irish people, and which, he believed, would be well received by them. Its success depended on the way in which it was received, and still more on the manner in which it was administered. In his opinion, it would be accepted in the spirit in which it was offered. It sought to encourage activity in educational matters on the part of both masters and pupils, and it did not turn to the right nor to the left in order to encourage or discourage any one of the various doctrines which were held on the subject of education. The Irish people did not regard this as a denominational Bill; but simply as a measure which would encourage on all sides the love of study and the zeal for education. He believed that the Bill would be accepted in this neutral spirit by the people of Ireland. He protested strongly, on behalf of the public teachers of Ireland, against the idea put forward by the hon. Member for Londonderry, that the Catholics would be influenced by any ill-feeling towards the Protestants. There was no duty which masters in Catholic schools in Ireland inculcated more firmly than that of Catholics and Protestants being treated alike in all matters purely educational. The success of the measure would depend altogether on its administration by the Commissioners. If well administered by them, he hoped it would open a new era to the young men of his country. In consequence of her position, Ireland did not enjoy the advantages possessed by other countries for commerce, enterprize, and the acquisition of wealth. Irishmen must, therefore, look for prosperity to the cultivation of their minds and the growth of education. He felt certain that the education of the middle class would infuse a new spirit into the people; that it would give them a calmer judgment and a greater firmness of purpose than they now possessed, and that it would give new life to everything that was worthy of life in the national aspirations. The large majority of the Irish people—Celtic in race—were not yet a living force in the affairs and destinies of this Empire. When their reason was fortified by education, he believed they would become an intelligent and valuable factor in guiding their destinies. The Bill aimed not merely at making the Irish people good scholars, but also at carrying into effect these glorious objects, and therefore he gave it his cordial support.

Mr. J. P. CORRY said, he was thankful that Her Majesty's Government had seen their way to bring in the present measure. Although the measure was not exactly in all respects what many hon. Members might wish it to be, it proposed what was, perhaps, the best system which could be devised for settling the great differences that existed on this question in Ireland. If he participated in the fears expressed by the hon. Member for Londonderry (Mr. Charles Lewis) he should be as strongly opposed to the Bill as he was; but he failed to see that the measure would be followed by the results anticipated by his hon. Friend, or that it would lead to the system of University education which he had shadowed forth. The Bill would maintain the principle to which his co-religionists were so strongly attached—of united secular and separate religious education. It was his intention, however, to propose in Committee a slight alteration in the Conscience Clause, with a view to strengthening it, so that all the subjects of Her Majesty, whether Catholic or Protestant, would be able to participate in the benefits which the measure would confer upon them. He regretted that female education did not come within the scope of the Bill, and suggested that the Government should allow the Board to deal with that question, and give them a certain sum to be expended in promoting female Intermediate Education in Ireland. With these objections on point of detail, he should support the Bill as an experiment that would in all probability be satisfactory, and he hoped that the House would read it a second time.

THE O'CONOR DON could not let the present stage of the Bill be taken without a few observations, more especially in consequence of the speech of the right hon. Gentleman the Member for Greenwich (Mr. Gladstone). Late as was the measure in its introduction, the Government were entitled to the thanks of those representing the Irish people, for dealing with the question. He supported the Bill, not so much for it extraordinary merits, as because he saw in it an honest attempt to meet a great existing grievance. The hon. Member for Londonderry had said the Bill had been received with the suppressed enthusiasm of the Catholics of Ireland. So far as the suppression was concerned, perhaps he was right; but as to the enthusiasm, he very much doubted if it existed. The Bill was regarded as an endeavour to remove difficulties under which, especially, the Catholic population laboured with reference to Intermediate Education in Ireland; but they could not conceal from themselves the fact that the Bill, if passed, would not efface the grievances of Catholics. In the competitions that would arise under the Bill for the different awards both to individuals and institutions, Catholics were not fairly weighted, and did not enter the competition with equality. Therefore, it could not be expected that they would receive the Bill with the enthusiasm which the hon. Gentleman said existed, though its expression was suppressed. At the same time, they did recognize in the Bill an attempt to benefit the whole population, and believed that the Bill, to a certain extent, would meet the generally admitted want. In an educational point of view, then, they approved of the Bill; but upon political or religious grounds their approval would be very limited. They knew that under the Bill the Roman Catholics would be placed at a disadvantage; but were they to decline, on the part of the Irish people, to accept a proposal which would confer certain advantages on the Catholics, because Protestants received greater benefits? Such would be an extremely foolish course; therefore it was that those who represented Catholic feeling expressed their approval of the Bill as far as it went; but he was bound to say, with regard to the proposal of the right hon. Gentleman the Member for Greenwich, that if it were adopted, and all the provisions relating to the result fees struck out, then the Bill, so far from being acceptable, would be one they ought to resist. He was ready to support the Bill, because it would assist the spread of Intermediate Education in Ireland; and when he spoke of education, he meant education in its true sense, as distinguished from mere "cramming." But if the proposal of the right hon. Member for Greenwich were adopted, instead of encouragement to education—instead of promoting the establishment of new schools, and helping those in existence—it would raise up difficulties against new schools, and hinder the efficacy of those existing. It would tend to the extension of the system of education through "grinders," who would get clever boys into their hands and cram them. If any portion of the Bill were to be omitted, he would prefer to see that portion relating to the prizes struck out. There were certain details in the Bill which he would desire to see modified. He did not see much harm in the Conscience Clause, though he should have preferred to have had it omitted; for it seemed to him inconsistent with the principle of the Bill, which was that secular education should be paid for wherever it was given. In practice, the Conscience Clause would benefit the Catholics more than other denominations, and for this reason—In the Catholic intermediate schools, as a rule, there were no scholars except Catholics; therefore, those schools could not be much interfered with by the clause. But in the Protestant schools there were a small number of Catholics, and it was to these schools that the clause would really apply. Notwithstanding that, he thought it would be more consistent with the framework of the Bill to omit the clause, and he would have much preferred that it had never been introduced. Then, as to the examinations. Of course, he was aware that these, to a great extent, were subject to the control of the Commissioners to be appointed under the Bill; but still, the Bill had an example of what these examinations would be. First, there was the language, literature, and history of ancient Greece and Rome as one subject ; then there was the English history, literature, and language as another; and then came the French, German, and Italian languages, literature, and history as a third. He did not think it desirable that a knowledge of both Greek and Latin should be necessary for qualifying in the first subject, or that a knowledge of three foreign languages should be necessary for the third; and he asked the House to consider from what class the children would be taken. Even in regard to the upper classes, how many children could pass an examination in French, German, and Italian languages, literature, and history. According to what was done in University examinations at London and elsewhere, these subjects should be divided, and the student given a choice of two of the languages. It also struck him as remarkable that no reference was made to Irish language and history as a subject for examination. Within the last few days, the Commissioners of National Education in Ireland had consented to place on their Code the Irish language as a subject. The omission, therefore, from the present Bill was the more remarkable, and, in Committee, he should propose the alteration of the Schedule in the direction he indicated—the division of the subjects, and the inclusion of Irish literature and language in those subjects. He had no desire to protract the discussion, and he believed that every Irish Member had no other desire than that the measure might pass after a full and fair discussion.

Mr. STANSFELD said, it appeared to him that the argument of the hon. Member for Londonderry (Mr. Charles Lewis) against the efficiency of the Bill from an educational point of view was unsound. The argument of the hon. Member seemed to be that the provisions of the measure would not tend to stimulate Intermediate Education in Ireland, and that what was wanted was not better education but more schools. The hon. Member, however, appeared to him to have entirely ignored the well-known economic doctrine of demand and supply. The great merit of this Bill was that it would stimulate and increase the demand, and hon. Members might depend upon it that when the demand was increased the supply would follow. The hon. Member had also said that the Bill was a reversal of a policy of Parliament for 50 years, and had endeavoured to strengthen his argument by reference to the Conscience Clause. He appeared to think that the proper functions of a Conscience Clause was to enforce a system of mixed secular education. No one was more in favour of mixed secular education than he (Mr. Stansfeld) was; but it did not follow that because that sort of education met his view, he should therefore be a party to the imposing of it upon a people whether or not it met with their ideas or necessities. What they had to do as politicians, acting upon the principles of Liberalism in regard to Ireland, was to pay deference to Irish needs, and to the sense and conception in Irish minds of Irish needs, so far as that could be done consistently with the fundamental principles from which they found it impossible to depart. He thought it was desirable that they should not only encourage students to obtain prizes at competitive examinations, but should also do what they could consistently with the principles which must govern legislation on such subjects to secure the good management and the general efficiency of those schools. Therefore he had no objection to make to the part of the Bill which had reference to result fees. With regard to the claims of girls, after the eloquent appeal of his right hon. Friend the Member for Greenwich, which had been cheered by both sides of the House, he need hardly say a word on that point. The ideas entertained with respect to the education of girls and boys had undergone a great change of late years. It was now becoming recognized that there could be no antagonism between the claims of boys and those of girls to education; that girls had an equal right with boys to the soundest and best education; and that society was at least equally interested in the soundest and best education being given to girls as well as to boys. It was enough to say that the girls of to-day would be the mothers of a future generation of men, and that the strongest educational influences were exercised over both boys and girls by mothers, in order to satisfy all reasonable people that men, equally with women, were interested in justice being done to girls in that or in any other educational measure. In the 12th section of the Endowed Schools Act of 1869, special provision was made that regard should be had to the claims of girls in respect to endowments. In the present case the fund which Parliament was about to apply to Intermediate Education was one which had been quite as much appropriated for girls as for boys, and for women as for men. But he would not dwell on that argument. He would only urge that that was a fund now at the disposal of Parliament, and that they would not be justified in applying it exclusively to the education of boys, omitting all provision for the education of girls. There was a great movement on foot for the education of girls in Ireland, which was part of the movement of the same character which had been going on in this country. Both the University of Dublin and the Queen's University held examinations now for girls, large numbers of whom had passed with credit; and it was also the fact that a large portion of the well-to-do people in Ireland sent their daughters to this country to be educated. He appealed to the Irish Members whether they would be satisfied with a measure which left them in this position, that they could not educate their daughters at home, but must send them across the seas. With regard to that Bill, without any apprehension as to the ulterior consequences that would follow, he was quite prepared—and he did not think this was inconsistent with acknowledged Liberal principles—to allow the same principle to be applied at some future time to University education. He did not wish to force on the people of Ireland a mixed and secular system of education. What he wished, and what he believed all truly liberal-minded persons wished to do, was to help their Irish countrymen to that which they desired, and that to which they were entitled, as far as it could be done consistently with the principles they upheld.

MR. PLUNKET claimed the indulgence of the House for a very short time, in order that he might express the pleasure he felt at the introduction by the Government of this most important measure, which had his full support. Although the hon. Member for Londonderry (Mr. Charles Lewis) had formally moved the rejection of the Bill, he had almost intimated that he would not divide the House on that occasion, but would rest content with having had an opportunity of expressing his own individual opinions. He (Mr. Plunket) desired to say that he believed, as far as he had an opportunity of judging, the Bill would not only meet with the approval of the Roman Catholics, but of the majority of the people of all denominations in Ireland, when they came to understand its provisions. He had every reason to believe that those whom he had the honour to represent, and whose opinions he shared, were altogether in favour of the main principles of the measure. Therefore, he joined in the very general congratulations which had been offered to the Government on their having had the good fortune to bring in a measure for the benefit of Ireland which met with the acceptance of all classes and parties in that country. It should not be forgotten that the late Chief Secretary for Ireland (Sir Michael Hicks-Beach) also had a considerable share in the preparation of the Bill, and was entitled to participate largely in the credit of its introduction. He fully admitted what had been said by the hon. Member for Londonderry as regarded the remarkable success of Foyle College, and of several other excellent schools. But there were not enough institutions of that kind; and it could not be denied that in the quantity, and in some parts of the country also in the quality, of the existing intermediate schools of Ireland, great improvement was needed. How was that improvement to be effected? Having given the subject his careful attention, he must say that he saw no other way of doing it than that suggested by this Bill. They might have proposed to endow strictly undenominational schools. But when they had founded these schools there would be considerable difficulties to contend with. In a University, where the higher branches of education were provided by the State, the religious wants of boys might be adequately attended to while pursuing united education, but when they came to intermediate teaching, it was impossible to carry that out all over the country without having recourse to boarding schools; and he agreed with his hon. Friend the Member for Londonderry, that they could not adopt the principle of united education in boarding schools. He had objected to a Bill formerly for establishing a Roman Catholic University, or College, mainly because public money was to be given without responsibility, and payments were to be made where there was no sufficient guarantee as to results. On that ground he stood as firmly as ever. But in this case, where the endowments were given, the State would get value for the money. He did not, therefore, agree with his hon. Friend the Member for Londonderry that they were giving up any important principle, or parting with any safeguard, in supporting this Bill. He admitted, with the right hon. Gentleman the Member for Halifax (Mr. Stansfeld), the desirability of improving the education of girls, although he differed from him in some of the ideas with regard to women, of which he was so intrepid an advocate. It must, however, be left to the Government to say whether it would imperil the chance of now passing the Bill to introduce provisions on that subject. The hon. Member for Londonderry made an eloquent appeal to the House against the application of the surplus of the Irish Church Fund to the purposes of this Bill. No one more strongly resisted that measure than he did, although he was not then in Parliament. But the Act had passed, and what was the section which professed to control the ultimate use of the Church surplus but a shifting compromise to avoid the great question that had been raised? He believed the results of this measure, which had been so generally—he might say universally—approved on both sides of the House, would be most beneficial. He rejoiced that the Government had brought it forward, and he had much pleasure in supporting the second reading.

Mr. COGAN, in supporting the Bill, considered it was an honest and sincere effort on the part of the Government to remedy a great and admitted grievance under which the people of Ireland had long suffered. He congratulated the Government on the discussion which had already occurred; because, judging from the reception of the Bill on both sides of the House, there appeared little doubt that it would sail through smooth waters, even in Committee. With his known views as to secular education, the speech of the right hon. Member for Halifax (Mr. Stansfeld) afforded good augury that the Bill would be well received, even by the most pronounced friends of secular education. He should have been glad to see even a larger sum than the interest of £1,000,000 applied to the purposes of Intermediate Education. That appeared to him small and inadequate as a means of obtaining the great results expected. He should also be glad to see the benefits of the measure extended to women; but the alterations in the framework of the Bill which would be required with that view might endanger its passing. Besides, if the Bill were extended to girls, an additional sum would be required. He trusted, therefore, that the House might be induced to pass the Bill as it stood. With regard to the alterations suggested by the right hon. Member for Greenwich (Mr. Gladstone) on the subject of result fees, he was satisfied that if it was adopted, it would create great disappointment in Ireland. He considered it most necessary that the Bill should pass this Session; and he would, therefore, support the Government in maintaining it as it stood, though, if they saw their way to extending its benefits to girls, he would be very glad to have it done.

Mr. BUTT said, his anxiety was to see the Bill passed this Session, because he believed its passing would have the best possible effect in Ireland, not only as regarded the results of the Bill itself in the future, but as showing the Irish people that an attempt had been made by Ministers and the House to deal, it might be imperfectly, with an admitted grievance in an honest and liberal manner. He should therefore endeavour to confine his observations to the few points on which he deemed it necessary to touch, and to make his observations as brief as possible. He felt anxious for the Bill personally, because it was no secret that he had taken a very active part in pressing on Her Majesty's Government to endeavour to pass it this Session. Whether his representations on the subject had any influence on Her Majesty's Government, he did not know; but he made those representations as strongly as he could. The great point he wished to enforce was the necessity of Her Majesty's Government standing by the Bill as it was. In speaking of the satisfaction which this Bill had given the Irish people, he thought the speech of the right hon. Gentleman the Member for Halifax (Mr. Stansfeld) would also be received by them with satisfaction as a declaration of principle. He earnestly begged the Government to stand by this Bill as it was—

> "Periculosæ plenum opus aleæ
> Tractas: et incedis per ignes
> Suppositos cineri doloso."

In dealing with religious susceptibilities, especially in a country like Ireland, where there were so many things to create discontent, they never could tell by what change they might excite objections and difficulties of which they had very little notion at present. Her Majesty's Government had succeeded in framing a Bill which had been accepted by the whole of the Irish people, he did not say with enthusiasm, but as a settlement of this question. Common prudence would suggest that they ought not to change it. He had heard questions discussed to-night that would wreck the Bill. For example, the question of the admission of women to the benefit of the Bill had been raised. Now, unless they wanted to alter the whole of this question before the House, he advised them to leave that question alone. A more harmless proposal than that of the right hon. Member for Halifax apparently could not be made. Every man was as anxious for female education as the right hon. Gentleman was; but they were not all anxious for the kind of female education which the right hon. Gentleman would give. The question of convent schools would be at once raised if the subject of female education were introduced into the Bill, and so would the admission of women to lectures on anatomy. These were questions which might be discussed hereafter; but this Bill was brought in to remedy a defect in the education of boys, and next year, if they were anxious to do so, they might take up the question of female education, but in the name of common sense let it not be mixed up with the present measure. There was another point which ought not to be lost sight of. This Bill did not propose to create a system of Intermediate Education. He would be very glad to have such a system established, and to see foundations like those in England set up in Ireland. He would be very glad to see foundations of King Edward or King John in every town in Ireland; but they could not recall the times when Monarchs established such endowments. What was proposed now was to take existing institutions, if they might be called institutions, whether Protestant or Catholic, which had grown up among the people, and to stimulate and aid them impartially. He would use the language attributed to the Lord Chancellor, and say they wanted only "the manufactured article"—the educated man—without interfering with the process of manufacture. They took the man without inquiring what the institution at which he was educated might be, or whether the master was a Protestant or a Catholic. He had seen in a periodical not generally favourable to education as Irishmen wished it, a great deal of common sense on this subject. It said that Englishmen wished to see Irishmen educated, but they wished to see them educated in their own way. It was argued that the people would be educated with Ultramontane ideas. Well, let a good secular education be given, and if there was anything wrong in the Ultramontane ideas, they would find in that education the best antidote. If schools in Ireland were now deficient in a good secular education, the standard would be raised when those schools were asked to compete with others. They would not only raise the education of the competing boys, but of every boy in the school. There might be a few points in regard to details on which he should like to see an alteration. He agreed with the hon. Member for Roscommon that the Irish language ought to be taught, and he would be glad to see the Conscience Clause removed. He was not alone in that wish. He had seen the speeches of Conservative Peers, who said they thought the clause damaged the Bill.

There was great difference as to the necessity for a Conscience Clause in intermediate and in primary schools. When a parent sent his sons to an intermediate school, he was in a position to make terms with the master, which was not always the case with the man who sent his children to a primary school. But he was happy to say that no opposition had been offered from Ireland to the clause as it stood. In the University Bill, to which his hon. and learned Friend (Mr. Plunket) objected so much, he inserted a Conscience Clause, and the only person who remonstrated with him on the subject was a gentleman largely engaged in Protestant education. A Conscience Clause, as the hon. Member for North Warwickshire (Mr. Newdegate) might use it, would worry every school in the Kingdom; but reasonable and prudent Commissioners might work it without annoyance. The Government had achieved the greatest triumph of any Ministry for many years in regard to Ireland. They had produced an Education Bill which was approved by the Representatives of the Roman Catholics and by Cardinal Cullen, and which at the same time received the support of the hon. and learned Member for the University of Dublin. This was a moral miracle, and they ought not to risk that for the sake of making trifling changes in the Bill. Irishmen were now in perfect good humour, and he hoped the House would keep them so, and that it would pass this Bill at once, without giving any of them an opportunity of throwing it out. This Bill made great concessions. It was not all that Irishmen could wish, but it would do an immense deal of good. It would bring many a young man forward hereafter, whether Protestant or Catholic, who, but for the encouragements given by this Bill, would have pined in obscurity. Irish Members, forgetting all their partial differences, ought to unite and say—"Here is a Bill that will satisfy the country. Pass it as fast as you can, and with as little change as possible." He himself would like to see some slight Amendments. If, however, he made a Motion concerning the Irish language, an hon. Member had stated to-night that he would introduce another about Spanish and Portuguese. Some one else might move Turkish and Russian, and then an Eastern debate would arise. To propose Amendments would be setting an evil example, and he would, therefore, ask his Friends to withhold their Amendments. A great deal might be done by the Commissioners. He hoped that they would introduce the Irish language, literature, and history. In conclusion, he would appeal to Her Majesty's Government to pass "the Bill, the whole Bill, and nothing but the Bill;" for that was the cry by which the greatest change ever made in the British Constitution was carried. He hoped his hon. Friends would give up their crotchets, so that the success of the measure might not be imperilled.

MR. O'CONNOR POWER: Mr. Speaker, this Bill has been accurately described as an educational experiment; but I regard it as an experiment of another kind—it is an experiment on public opinion, and as such it has undoubtedly been attended with marked success; for every section of opinion in England and Ireland has contributed to the general chorus of approval with which the Bill has been received. I have had the advantage of listening to-night to the speeches—so full, I regret to say, of bigotry and intolerance—delivered by the hon. Member for Londonderry (Mr. Charles Lewis) and the hon. Member for North Warwickshire (Mr. Newdegate); but as the House seems to have already wisely forgotten everything they said, I am relieved of the necessity of saying anything in reply. They laboured hard to excite false fears and mischievous apprehensions; but, thanks to the common sense of the House, they laboured in vain. The hon. and learned Member for Limerick (Mr. Butt) has appealed to his Friends not to endanger the passing of the Bill by bringing forward Amendments. I fully sympathize with that appeal; but the proposal to include in the Schedule of subjects for examination the language, literature, and history of Ireland, in which, I am glad to find, I have been anticipated by my hon. Friend the Member for Roscommon (the O'Conor Don) is one so obviously just and natural that it required to be only fairly and briefly stated to command unanimous approval; and it is on the merits of that proposal that I would wish to make some observations to the House. Well, now, what is the position of the Irish language? At the request of the Council of the Society for the Preservation of the Irish Language, I gave Notice three months ago that I would call attention to the subject in reference to the teaching in the National Schools and the course of studies in the Queen's Colleges. Since then a Memorial addressed to the National Board of Education in Ireland has had the desired effect as regards the National Schools. The teaching of Irish has been placed on the results programme under the same conditions as that of Latin, Greek, and French; and I take this opportunity of returning my thanks as an Irishman to the National Board for the wise promptitude with which it has, in this instance, determined to execute the national will. Its action opens a new chapter in the history of Irish Government Boards, and gives ground for hope that their proceedings will in future be more conformable than they have hitherto been to the feelings and interests of the Irish people. It must be remembered that we have still a large Irish speaking population. The salutations which travellers in Mayo and the Western counties receive from the peasantry are sure to be conveyed in the rich musical accents of the Gael; and what we want, in the first place, is that those who speak Irish should be taught the language grammatically, so that they may be able to read it and write it as well. It cannot be necessary, I am sure, Sir, in addressing an educated Assembly, like the House of Commons, to enlarge upon the importance of the study of the Celtic language. Scholars have always recognized its scientific value in the department of philology. Dr. Johnson, writing in 1777, to a contemporary of his, the Irish translator and historian, Dr. Connor, used these words—

> "If I have ever disappointed you, give me leave to tell you that you have likewise disappointed me. I expected great discoveries in Irish antiquity, and large publications in the Irish language; but the world still remains as it was, doubtful and ignorant. What the Irish language is in itself, and to what languages it has affinity, are very interesting questions, which every man wishes to see resolved that has any philological or historical curiosity. Dr. Leland begins his history too late; the ages which deserve an exact inquiry are those times, for such there were, when Ireland was the school of the west—the quiet habitation of sanctity and literature. If you could give a history, though imperfect, of the Irish nation from its conversion to Christianity to the invasion from England, you would amplify knowledge with new views and new objects. Set about it, therefore, if you can; do what you can easily do, without anxious exactness. Lay the foundation, and leave the superstructure to posterity."

The question as to "What the Irish language is in itself," about which Dr. Johnson was so anxious 100 years ago, no longer perplexes scholars. The position of Celtic, as one of the most venerable forms of human speech, one of the earliest outgrowths of the philology of the East, has been established to the satisfaction of the learned in these islands, and throughout Europe and America. The still more important work of presenting to English readers "the history of the Irish nation from its conversion to Christianity to the invasion from England," yet remains to be accomplished; because no adequate encouragement has been given to Irish scholars to induce them to prosecute their valuable labours on the manuscript materials of Irish history. When we find Celtic chairs handsomely endowed, and Celtic studies eagerly promoted, in the higher schools of Germany, France, Italy, Denmark, and Switzerland, and see the Universities of Oxford and Edinburgh following Continental example in this respect, it would be nothing less than a national disgrace if ample provision were not made for the cultivation of the Celtic language in Irish Universities and intermediate schools. Parliament made provision for the teaching of Irish in the three Colleges constituting the Queen's University in Ireland; but the Senate of that institution has not included Irish in the degree examination; and, although a prize may be gained for certain proficiency in the Irish language, students will not devote their time to a study which, under the circumstances, can be no help to them in their degree examinations. In view of the great Celtic revival, so to speak, which is now taking place in Ireland, it is to be hoped that the Senate of the Queen's University will see the desirability of making better regulations for the encouragement of the study of our Native language. A great deal remains to be done in the same direction by Trinity College, upon which institution the Irish language has very strong claims—an institution, which respectable authority informs us, was intended at its foundation principally for the

Native Irish. Jeremy Taylor, who had been Vice Provost of Trinity, addressing the Secretary of State in 1667, says—

> "It is fit that it should be remembered that near this City of Dublin there is a University founded by Queen Elizabeth, principally intended for the Natives of this kingdom."

Irishmen who now take an interest in the cultivation of their Native language can refer to a high example in the action of one of the greatest characters in Irish history. I mean the statesman and patriot, Henry Flood, who bequeathed £5,000 a-year for this patriotic object. Unfortunately, his will was set aside by a legal technicality, but his intention remains as an instruction to posterity. Lord Ross, in referring to this latest wish of Mr. Flood's, employs such graceful and appropriate language, that I must ask the House to listen for a moment to his words. After specifying particularly how the money was to be applied, Lord Ross continues—

> "This was the extensive range of Mr. Flood's bequest to the public. Having first manifested in his will all the wise and tender anxieties and cares for those around him, for whom duty and affection taught him to provide; having for these, when he was about to retire from the world, provided every means of competency, and spread every shade of protection which a prudent and liberal mind could suggest; he then turned his eyes upon Ireland—Ireland, for whose prosperity he had so many years illustriously toiled. His great spirit, while it was just hovering over the tomb, was still busied about the future fame of his country. It dictated those expiring accents which direct that the materials of learning, from all parts of the earth, should be from time to time collected and deposited in the bosom of our University. Often did Mr. Flood remark to me that while in the East ingenious men were collecting and translating, with such laudable industry, the ancient writings of the inhabitants of that region, between the Indus and the Ganges, the valuable materials of our own island were neglected and perishing. He thought that many of the truths of ancient history were to be found at these two extremities of the lettered world; that they would reflect light and knowledge upon each other, and lead to a more certain acquaintance with the early history of man."

Surely, Sir, a University which is proud of the genius of Flood should be guided by the example of his patriotism, and should exhibit some of his enthusiastic devotion to the cause of Native learning and Native literature? A large part of the educational debt due by England to Ireland has reference to the teaching of the Irish language. When the religion of the Native Irish was proscribed, and even their dress and their style of wearing the hair also, it need not be said that their language did not escape the general persecution. A price was put on the head of the schoolmaster as well as that of the priest, and compulsory ignorance was enforced by the law of the land. Some of the methods employed to destroy the Irish language are very amusing to contemplate at the present day. The Irish parent was required to keep a stick and make a notch in it every time his child, disregarding or forgetting the instructions given him at school, ventured to express his thoughts in his Native tongue; and the child had to bring the stick to school every morning, and for every notch it showed he received a specified amount of punishment. This hostility to the Irish language raged with various intensity from the time of the Reformation; but it was fiercest during the eighteenth century, and were it not for the disinterested efforts of Continental scholars, who carried on the writing and printing of Irish books at Paris, Antwerp, Louvain, Rome, and other seats of learning in Europe, some of the richest treasures of the language would have been lost in those dark and penal times. A different policy was pursued towards Scotland. There the customs, traditions, and sentiments of the people, as well as their language and religion, were respected by the ruling power. There all the elements of nationality were recognized and duly appreciated in the government of the country, while in Ireland they were ruthlessly condemned and barbarously persecuted. I will not stop to show how, judging the tree by its fruits in each case, the policy pursued towards Scotland was the wiser one, for the House must feel the force of the painful historical contrast to which I have called attention. Notwithstanding all the hostility which it has encountered, the Native language is still a living force in Ireland, and there is abundant proof of its vitality in the vicissitudes which it has survived. The Irish-speaking population is not composed exclusively of the illiterate. It is estimated that there are 2,000 teachers in the service of the National Board of Education, who are competent to give thorough instruction in the Irish language. The Sacred Word is preached to the people, in the vernacular, by the most eminent divines of the Catholic Church; and I know that in the extensive Archdiocese of Tuam, a knowledge of the Irish language is a *conditio sine qua non* of admission to Holy Orders. Now, with respect to the practical objects to be gained by the study of Irish, I wish to quote the opinions of a gentleman who has devoted the thought and labour of a lifetime to the practical work of education in Ireland. I allude to Mr. Keenan, the present Resident Commissioner on the National Board, and formerly Head Inspector of National Schools. In the Twenty-second Annual Report of the Commissioners, page 75, Mr. Keenan says—

> "Many good men seem to me to forget that the people might know both Irish and English, and they also forget that by continuing to speak Irish and learning English through its medium, the latter language would be enriched by the imagery and vigour of the mother tongue, and the process of learning would be a mental exercise of so varied and powerful a character, that its disciplinal effect upon the mind would be equal in itself, and by itself, to a whole course of education of the ordinary kind. The shrewdest people in the world are those who are bilingual; borderers have always been remarkable in this respect. But the most stupid children I have ever met with are those who were learning English whilst endeavouring to forget Irish."

Now, if it be desirable, according to Mr. Keenan's theory, that, as far as possible, the people should be taught to speak two languages, what is the best and easiest way to make the Irish a dual-speaking people? They cannot be made such by any amount of encouragement given to the study of Latin, Greek, and French. By the Commissioners' Report for 1877, just issued, I find that only 852 pupils passed in French, only 305 in Latin, and only 90 in Greek. Total in the three languages, 1,247. Now, under the new arrangement, by which Irish has been placed on the same footing as Latin, Greek, and French, the number of pupils learning a second language will, I have no doubt, henceforth, be counted by thousands instead of hundreds, because thousands of Irish boys and girls can learn, with facility, their Native tongue in addition to English; and it is by encouraging them in that study that they can most easily be made a bilingual people. If this encouragement be carried to the higher schools, we may expect equally gratifying results, and a new and powerful stimulus will be given to literary culture throughout Ireland. It is not often, Sir, that an Irish Member has the satisfaction of pleading a cause into which considerations of Party do not enter; but such is my position here to-night, and I think the cause is one that must be dear to the hearts of all Irishmen, without distinction of Party. Some of the greatest elements of a people's nationality are independent of political institutions, and there is no fact more patent in the history of Europe than that uniformity of language is not necessary to territorial unity; and I have no doubt that the Union between Great Britain and Ireland must stand or fall on totally different grounds. Within the narrow limits of Denmark, German is spoken as well as Danish; in Sweden we find Norse and Finnish as well as Swedish; while the Monarch of the day, like your Norman Conqueror, speaks French. In France there are three languages independently of French proper. In Prussia and Spain there are three or four in each; in Austria five or six, and the Czar of Russia rules over a multitude of diverse tongues. As for the Kingdom of Great Britain and Ireland, within its own comparatively little boundary, from before the days of Cæsar until now, there has always existed diversity of language. Out of that original diversity, and perhaps I am entitled to add, because of it, you have developed a language which is at once strong, copious, and expressive; and if Irishmen are proud of their language, you are justly proud of yours. I do not hesitate to say that the grandest feature in the history of the English race is the extent to which its language has penetrated every part of the globe. The pride of empire and victorious war may be powerless to animate the breasts of future generations of Englishmen, but they will never cease to glory in the world-wide conquests of the English tongue. They have more cause to rejoice on account of having given their language to an Empire broad as the circuit of the sun, than in the fact of having conquered that Empire by their acts and their arms. The boundaries of States may change and be obliterated for ever—Provinces and Colonies, seeking a larger growth in obedience to the natural law of progressive development, may drop one by one out of the circle of

Imperial unity; but they will carry with them, like the great American Republic, the language and literature in which the brightest thoughts of Englishmen are enshrined, and in which their noblest deeds are lovingly recorded. I can claim no such extended sway for the language of the Gael; nor can the dazzling splendour of success hide from me the ignoble means by which, in too many instances, it was obtained; I only protest that the Celtic language shall not be suffered to expire in the cradle of the Celtic race, but that it shall be preserved, not alone as a colloquial speech in the cabins of the poor, but as a rich adornment of the highest intellectual culture, and as the repository of the thoughts of our poets and sages, in Erin's golden age, when she was the home of illustrious scholars and the University of the world.

Mr. ERRINGTON said, he regretted that they should have fallen into a wrangle as to the proportions in which various religions should be represented on the Commission, and the devices by which the influence of the Members could be neutralized, and as to how the spoil should be shared. He approved thoroughly of the Bill; but it was an experiment the success of which would depend on the way the examinations were carried out. He protested against any difficulty about religion being met by emasculating the teaching and treating it in such a way as to make the knowledge worthless. He did not agree with the suggestion of the right hon. Gentleman the Member for Greenwich (Mr. Gladstone) about omitting the latter portion of the Bill; it would be necessary to have some counterbalancing scheme by which smaller and less wealthy schools would have a chance of sharing in the benefits Parliament intended to confer. He regretted that the question as to the claims of women had been imported at all into the discussion of this measure, because it might raise additional difficulties. Of course, they were all in favour of improving the education of women; but, in reality, the endowment fund was not more than sufficient for the young men of Ireland. He joined in the hope expressed by several hon. Members, that the Bill would be passed this Session.

Sir EARDLEY WILMOT said, he thought the composition of the proposed Board, and the details of the Schedule, might fairly be left to a future stage; but he could not refrain from making one or two observations on the Bill itself. He cordially congratulated the Government on the production of a measure, even as late as in the fifth Session of the present Parliament, so eminently calculated to advance the social interests of Ireland, and to elevate the condition of that country. It had been said that there existed no middle class in Ireland, and that was true to a great extent; but one reason for that might be that the higher education requisite for that class had been hitherto greatly neglected, and this Bill would supply an acknowledged want. The Irish Members were certainly unfortunate; their opposition to measures was called obstruction, and their support, cordial and unanimous in this instance, was distrusted and considered dangerous. He (Sir Eardley Wilmot) entertained no fear of any latent danger in the support so freely given to the Bill by his hon. and learned Friend the Member for Limerick (Mr. Butt), and other Irish Members. He saw in that support, a recognition of the anxious and earnest desire of the Government to introduce a measure in every way likely to benefit their country; and he, for one, was warmly grateful for their approval and support. It had been argued by his hon. Friend the Member for Londonderry (Mr. Charles Lewis) that the Bill aimed at and would lead to Catholic endowment, and was a breach of the compact made in 1869, when the Irish Church was disestablished, and all endowments were to cease, and when the Protestant Church funds were to be only appropriated in one way. If he (Sir Eardley Wilmot) had the same fears and the same opinion, he should strongly oppose the Bill. No one had more earnestly opposed the disestablishment of the Irish Church than he had; he deeply regretted it then, and he regretted it still. But he did not see in the present measure any religious or sectarian element, or any departure from the principle laid down at that time. As regarded the welfare and prosperity of Ireland, he had sometimes complained that measures introduced with that object had been either "damned with faint praise" by the Government, or opposed altogether. Consequently, he rejoiced in his heart to see the commencement, however late, of a new state of things; and he anticipated that the present measure would pass into law, to the universal satisfaction of Ireland, and fruitful of the most beneficial results. He should give it his most cordial support.

MR. MELDON concurred in the thanks which had been offered to the Government for the introduction of the Bill; but he could not accept the Bill as a full discharge of the claims of Ireland in the matter of Intermediate Education. He was glad, however, that it could be supported by Irish Members without any deviation from the principles which they had advocated. He protested against the idea that Intermediate Education was to be fostered and promoted by means of exhibitions and prizes, which would not benefit the schools that really required help. The proper principle was that adopted on the Continent, where education was cheapened by means of endowments, and the parent contributed only a small proportion of the cost. Payment by results to schools under competent supervision might work without doing mischief; but it was different in the case of schools over which there was no supervision except such as was involved in sending scholars to examinations. This was a fatal way of giving Government support to Intermediate Education. There was only one other point to which he wished to refer, and that was the exclusion of the National Schools in Ireland from the benefits of this Bill. He was amazed to hear the grounds advanced by the Chief Secretary in defence of this exclusion. The right hon. Gentleman seemed to imagine that the National Schools in Ireland were confined to teaching the three "R's." So far from that being so, the National Schools had sent scholars, in large numbers, directly to the Universities and into the Civil Service. The opinion expressed by the Chief Secretary was not the opinion of the Commissioners of National Education, who had admitted the higher branches of science teaching and gave results fees for them. Latin, French, and Greek were also taught, and he certainly was greatly astonished to hear the Chief Secretary speak as if nothing were taught in National Schools but elementary education. He (Mr. Meldon) saw no reason why they should be debarred from earning results under the Bill; and he, therefore, hoped that in Committee, the slur so unworthily cast upon them would be removed.

MR. COURTNEY said, the Bill had been introduced at a period of the Session when they could not hope—no matter how strong might be their arguments in favour of change—to effect any substantial alteration in the clauses. Neither in this House nor "elsewhere" had the Government given an estimate of the probable working of the schemes they proposed to institute. It must be admitted that £1,000,000 was a large sum; but nothing had been said in support of the selection of that amount, or to show that £500,000, or £1,500,000, or £2,000,000, should not have been the amount chosen. If a Vote had to be submitted to Parliament for this Bill, they should have had some estimate of the cost; but here a sum was put down, and it might be insufficient, or it might be too large. As far as he could make out, this sum of £1,000,000 ought to be too large for the immediate necessities of the case. What was supposed to be the number of students admitted to these examinations, so as to obtain result fees? The Chief Secretary for Ireland had given them no estimate; but the hon. Member for Londonderry (Mr. Charles Lewis) thought that 2,000 might be expected to secure result fees. He confessed his own estimate was much lower, and he thought if 1,000 secured result fees it would be the limit, bearing in mind the population of Ireland. If 1,000 result fees were obtained, that would entail a charge of £5,000, or thereabouts, for fees, and there would be 100 exhibitions allotted, involving an annual charge not exceeding £4,000. They would scarcely distribute more than £10,000 in exhibitions and prizes without lowering the standard, so as to make the Bill an injury rather than a benefit to Ireland. They had no guarantee that the funds would not be allotted so as to degrade the standard of education in Ireland; and, therefore, he looked with great jealousy to the composition of the Board which would be intrusted with the management of the system about to be established. The members of the proposed Board would be nominees of the Castle, and past experience did not warrant them in placing much confidence in Government Boards in Ireland. He should prefer to see the Board nominated by the University of Dublin and the Queen's University, and he should not even object to the Institution in St. Stephen's Green having a voice in the nomination. He objected to the appointment of two Assistant Commissioners. It was the old objectionable system of dual government, founded on the notion that they could not appoint a Catholic to an office of this kind, without having a Protestant to watch him, and *vice versâ*. By this dual government they added to the expense, and diminished the energy of the Board. If the Bill had been introduced at an earlier period of the Session, he should have suggested that it ought to provide, in the first place, for the examination of boys of 15 years in the elements of an English education only. Prizes, in the form of exhibitions, given as the result of such examinations, would enable boys to proceed from the national to higher schools. At this period of the year, however, there was little hope of having such a suggestion adopted. He was glad to hear the advice which the right hon. Gentleman the Member for Greenwich had given to Her Majesty's Government with respect to the allotment of result fees to the managers of the intermediate schools. The result fee question was very important with respect to future legislation, and not the less after what had been said in "another place" as to this Bill being a first step towards the reform of University education. It would, he had no doubt, lead to the giving of public money for the partial support of strictly denominational institutions. He thought that the Conscience Clause contained in the Bill was absolutely useless, and had better be done away with altogether, if it could not be made stronger; for there was no compulsion on all the schools which received aid to receive any pupil who chose to come to them. He could see no reason why this principle of Intermediate Education should not be extended to girls, and he was glad to hear, when the right hon. Gentleman the Member for Greenwich alluded to the subject, and eloquently pleaded on behalf of the girls, he was much cheered by the Irish Members. The increased number of competitors would be a security against the lowering of the standard of education, and their experience in this country showed that in the senior classes a larger number of girls than boys won honours at the Cambridge Local Examinations. He hoped that the Bill would be amended, so as to give effect to the suggestion of the right hon. Gentleman.

Mr. MURPHY, in supporting the Bill, observed that 11 years ago he had in that House advocated the encouragement of Intermediate Education in Ireland, and expressed himself in favour of payment by results. It was proposed to take, for the purposes of this Bill, £1,000,000 from the so-called surplus revenues of the disestablished Church. He thought this scarcely necessary, as there was still remaining a large sum which could be more appropriately applied to the purpose, and which was derived from the disestablishment, by the late Lord Derby, in 1834, of certain Bishoprics and Archbishoprics. He only said this in the way of criticism, and again wished to express a general approval of the Bill as far as it went.

Mr. T. A. DICKSON said, that he would give his hearty support to this measure through all its stages. It was an honest and sincere attempt to grapple with a difficult problem, the solution of which had been too long delayed, and he was happy to say that the Presbyterian Members from Ulster, both Liberal and Conservative, had determined to give it their cordial support.

Mr. CHARLES LEWIS wished to withdraw the Amendment. His chief object in moving it was to obtain a full and fair discussion of the details of the Bill. He regretted that no Member of Her Majesty's Government had thought it right or necessary to make a single remark in answer to the objections and suggestions which were made on both sides of the House.

Amendment, by leave, *withdrawn*.

Main Question put, and *agreed to*.

Bill read a second time, and *committed* for *Thursday*.

SUPPLY—CIVIL SERVICE ESTIMATES.

Supply—*considered* in Committee.

(In the Committee.)

Class IV.—Education, Science, and Art.

(1.) £434,091, to complete the sum for Public Education, Ireland.

(2.) £480, to complete the sum for Endowed Schools Commissioners, Ireland.

(3.) £1,799, to complete the sum for the National Gallery of Ireland.

(4.) £4,162, to complete the sum for the Queen's University, Ireland.

(5.) Motion made, and Question proposed,

"That a sum, not exceeding £10,717, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1879, in aid of the Expense of the Queen's Colleges in Ireland."

MAJOR NOLAN observed, that in the earlier part of the Session he used to object to the Votes on this account; but the Government always stated that the Votes were only for stationery, or some other incidental matters, and that the House could be divided on the main Question. Yet, although the opportunity of dividing upon the main Question had been promised, it had never arrived. The Government had brought in a Bill dealing with Education in Ireland, and several Members on that side of the House had raised objections to it. Under these circumstances, the question arose as to what the Irish Members should now do? For his own part, although he intended to be guided by the views of his Colleagues, he did not wish to have a long debate on Irish Education when they already had had a debate on Intermediate Education in Ireland, and when shortly the whole question of Irish Education would be fully entered into. For that reason, he should not raise a long discussion at that stage as he should otherwise have done. But it was only right that the Irish Members should formally protest against this Vote. There was no doubt that the Queen's Colleges in Ireland were not supported by the bulk of the people, and were repugnant to their feelings. In the Queen's Colleges no religion at all was taught; but all creeds in Ireland were religious, and objected to this system. Formerly, a great deal of money, between £50,000 and £100,000, was given by the State, or from very old endowments, and thrust down the throats of the people of Ireland in the shape of education; yet, although they objected to the system thus supported, the amount was reckoned in the Estimates as money spent on Ireland. The course he proposed to take under the circumstances was to move that this Vote of £12,817 should be reduced by the sum of £10,000.

Motion made, and Question proposed,

"That a sum, not exceeding £717, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1879, in aid of the Expense of the Queen's Colleges in Ireland."—(*Major Nolan.*)

MR. BUTT doubted the desirability of the course proposed to be taken by the hon. and gallant Member for Galway. He did not object to a protest being made; but he was afraid that a division taken under present circumstances would have the effect of weakening any protest that might be made. He thought a half opposition was not a wise thing, and he would, therefore, appeal to his hon. and gallant Friend not to press his Amendment to a division.

MR. SULLIVAN also felt that a half opposition ought not to be offered, and he would recommend his hon. and gallant Friend to offer a whole opposition in the shape of a protest. He did not think, however, that under the peculiar circumstances in which this Vote came on, it would be wise on the part of his hon. and gallant Friend to afford an excuse or pretext to anybody, who might be supposed to be desirous of availing himself of it, for saying that the opposition of the Irish Members in reference to the Queen's Colleges justified any attempt the Government might make for withdrawing from the proposals which they were making on another subject. He, therefore, intended to content himself with simply recording his protest against these Estimates, in order that he might not be shut out next year from taking the course which the circumstances of the time might render desirable.

MR. O'SHAUGHNESSY joined with his hon. and learned Colleague (Mr. Butt) in deprecating a division on the present occasion. He did so for the reason that, so far as the principle went, that principle had already been frequently asserted by repeated divisions.

MR. PARNELL said, that as he was about the only Irish Member in the

House when the Vote for the Queen's University was put from the Chair; owing to the speedy way in which the Estimates were brought on, perhaps he might be allowed to explain why he did not raise any opposition to that Vote. At the beginning of the Session he took a very different view respecting the Estimates for the Queen's University and Colleges from that which he held at present. He thought at that time that the only opportunity that would be afforded to Irish Members of showing their sense of the injustice with which Ireland had been treated in the matter of University Education would be when the Estimates for the Queen's Colleges were proposed; and, for his own part, he—and he believed many of the Irish Members also—had determined not to make a half-fight on the question of these Estimates, but to make a very real and severe fight. But the aspect of the case was now entirely altered. They had learned from a very high authority in the other House, that not only was the Bill, which they had been discussing that night, for the purpose of settling the question of Intermediate Education in Ireland, but that it was also intended to be the prelude to a settlement of the question of University Education in that country. Now, the question of the Estimates for the Queen's Colleges was connected with the subject of University Education in Ireland, and surely they might wait patiently until next Session and give the Government a chance of settling that question before taking action upon these Estimates? He did not see what object was to be gained even by taking a division against the Estimates. He did not approve of half plans. He did not believe in merely making a protest in that House about anything. He would only remind the Chancellor of the Exchequer, that just as he relied earlier in the Session upon the honour of the Irish Members in reference to this question of the Estimate for the Queen's Colleges, so the Irish Members now relied upon the honour of the right hon. Gentleman to settle the question of Intermediate Education this Session; and, if possible, to settle that of University Education in the next.

Mr. MELDON quite concurred in the view that unless they were to have a real battle it was better not to have a sham fight. Having already made a protest in the course of the present Session, he thought they might allow this Vote to pass without putting the Committee to the trouble of taking a division. He, therefore, joined in the appeal of his hon. and learned Friend the Member for Limerick (Mr. Butt), that this matter should not be pressed to a division. He did not see what good could be got from it. There was, however, one matter to which he desired to call the attention of the Committee, and that was the unusual and unprecedented course which had been adopted on the present occasion. Certainly, since he had had the honour of a seat in Parliament, he had never known the Irish Education Estimates to have been introduced without a single word being said, or any explanation given by the Chief Secretary for Ireland, who was officially charged with this business. This was the more remarkable, when they considered the very large question which was involved, and which was discussed at an earlier period of the Session—namely, the question of the remuneration of the National School teachers. They were all expecting that when the Estimate came on they would have some declaration on the part of the Government as to what was going to be done in the matter. Certainly, the English Education Estimates would never have been allowed to pass without a single word being said by way of explanation on the part of the Minister who had charge of them. However, as the right hon. Gentleman the Chief Secretary for Ireland had not taken him into his confidence, he should, on the Report of Supply, endeavour to extract from him the information which, out of courtesy to the Committee, the right hon. Gentleman ought to have given them on the present occasion. It was the first time that such a thing had ever happened; and it was unprecedented in the history of Parliament that the Irish Education Vote should be treated in such a manner.

Mr. J. LOWTHER was sorry to find that the hon. and learned Gentleman thought he had been in any way wanting in courtesy either to him or the Committee. He (Mr. J. Lowther) certainly was not aware that he had ever entered into any engagement to make known the decision at which the Government might arrive with regard to the question of the Irish National School teachers upon the Estimates. Such an idea had never entered into his head. He stated at the time that it was a matter that would receive the attention of the Government, and that, in fact, it had been referred by the Treasury to actuaries, and that the Government were taking other measures with a view of arriving at a decision. But he had never for a moment held out any hope that during the present Session he would be prepared to deal with the question. As to the complaint that he had not contributed to swell the debate that night, he thought that what had fallen from hon. Gentlemen who had referred to the subject of the Queen's Colleges had supplied a sufficient justification of that course. He thought that he would best consult the convenience of the Committee if he confined himself to an acknowledgment of the very fair manner in which this matter had been dealt with by the Representatives from Ireland generally, and declined to re-open a controversy which all seemed to have agreed to allow to rest for the present.

MAJOR NOLAN remarked, that although it was his own belief that they ought to take a division, yet he was not going to set his opinion against that of several Members of the Irish Party, and particularly the hon. and learned Member for Limerick (Mr. Butt), and he should certainly withdraw his Amendment. The people of Ireland would understand that if they did not divide it was owing to the very peculiar circumstances of the case that they took that course, and not because they in any way sanctioned this Vote. They had divided against the principle which it asserted several times at the beginning of the Session, so that Irish Members would no longer be open to the reproach addressed to them from the front Bench, that ever since the Vote was proposed no division had been taken against the Queen's Colleges.

Motion, by leave, *withdrawn.*

MR. MELDON explained, that he did not mean to convey to the Committee that the Chief Secretary had given any promise on the subject of Irish National School Teachers. What he had stated was, that it was the custom on the introduction of the Irish Education Estimates for the Minister to make a statement, and he had referred to the fact that a Resolution had been passed by the House that the immediate attention of the Government should be given to the question of the remuneration of these teachers.

THE CHAIRMAN: Order, order! I must point out to the hon. and learned Member that the question which he is now discussing has reference to a Vote which has been already passed.

Original Question put.

The Committee *divided*:—Ayes 172; Noes 18: Majority 154.—(Div. List, No. 211.)

(6.) Motion made, and Question proposed,

"That a sum, not exceeding £1,881, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1879, in aid of the Royal Irish Academy."

MR. SULLIVAN asked, whether the Government were in a position at the present time to give the Committee any explanation as to the state at which the proceedings had arrived with reference to the long promised establishment of a Museum of Science and Art in Dublin? He did not know if this was the Vote which the Government would think the most convenient for making any statement on the subject. If not, he would sit down; but whenever the proper time arrived, he should be glad of some explanation. It was only reasonable to ask for some explanation at the end of three years of good intention, and no realization, as yet.

MR. J. LOWTHER said, he did not know that he could add very much, at the present moment, to the information already in the possession of the hon. and learned Gentleman. He thought, however, that he might give him the assurance that the matter was in progress, and he hoped it would soon be brought to a satisfactory conclusion.

MR. PARNELL did not know whether this was quite the right Vote on which to bring this matter forward. He wished to inquire whether this was the Vote under which the Government proposed to appropriate money for the purposes of the Royal Dublin Society, and its conversion into a School of Science and Art. He rather thought not. Mr. J. Lowther: This is the Irish Academy Vote.] What he wished to know was, whether the Government proposed under this heading to appropriate any money for the purpose of the New Museum of Science and Art in Ireland, because he really did not see what other opportunity there would be of discussing this question, except that presented by the Vote itself. He knew that the question of the Governing Body was in a very unsatisfactory state, and the Irish Members had been waiting to hear from the Government what proposals they intended to make with regard to the constitution of that Body. They were very anxious to know whether it was to be an Irish Governing Body, or whether it was to be appointed by the South Kensington authorities, and under the direct control of that Institution? A great many people in Ireland, who were very much interested in this question, thought it would be a very great misfortune if the Governing Body of the New Museum of Science and Art was not of such a character as to make it essentially an Irish Institution, and not a mere appanage of South Kensington.

Sir HENRY SELWIN-IBBETSON thought the hon. Member would find that the discussion of this subject would be more conveniently taken on Vote 2, Class 4, of the English Education Estimates, which included votes for the Dublin Science and Art Museum, National Library, and one or two other things.

Mr. A. MOORE asked the meaning of the item in the Vote of £100 for purchase of treasure trove?

Mr. SULLIVAN observed, that he gathered from the statements of the Government that a portion of the Irish Vote was included in the sum voted for England. He thought they had some right to complain of that system; for it prevented them, in a great measure, getting the explanations they required.

The O'DONOGHUE begged to move that Progress be reported.

Motion made, and Question proposed, "That the Chairman do report Progress, and ask leave to sit again."—(*The O'Donoghue.*)

Mr. BUTT hoped the Motion for reporting Progress would not be pressed.

If the Votes were examined, it would be found that the sums required for the Irish Museum and School of Art were placed amongst the English Estimates. With reference to the Museum of Science and Art, there was a strong feeling in Ireland against its being entirely under the control of the South Kensington officials, and not under Irish management.

Mr. MELDON observed, that the ordinary process had been reversed in the present case. Ministers had been unwilling or unable to explain the Votes, and the hon. and learned Member for Limerick had done so for them.

Mr. BUTT disclaimed any idea of explaining the Votes. The Estimates were there, and he gave no information upon them, but only pointed out what was to be found in them.

Mr. MELDON said, that an appeal had been made to the Ministers for information, which they did not give, but which had been given by the hon. and learned Member for Limerick. That explanation was, to his mind, entirely satisfactory.

Sir HENRY SELWIN-IBBETSON said, that he had attempted to explain this Vote, and to point out that the Museum to which reference had been made would be found under the head of the Art and Science Department, in Vote 2, Class 4, of the English Education Estimates. He attempted to rise at the moment the hon. and learned Member for Limerick rose, and was prepared then to make the statement that, rightly or wrongly, the Irish Museum of Science and Art was included in the English Estimates.

Mr. LYON PLAYFAIR said, that it had been the custom since 1853 to take these Votes in this manner. The Royal Irish Academy was a learned institution which had no connection with the Museum of Science and Art. The proper person to make explanations on the subject of the Museum was the Vice President of the Council, who was not expected to be in the House that night.

Mr. PARNELL thought the Government should give some information as to the constitution of the Governing Body of the Museum.

Motion, by leave, *withdrawn.*

Mr. WHITWELL inquired, Whether the Government intended the *Annals of Ulster*, which was being published at the expense of the country, to be issued at such a price as would be within the means of ordinary persons, or whether it was to be only for the use of the members of the Royal Irish Academy?

MR. J. LOWTHER was not in a position to answer the question.

Original Question put, and *agreed to.*

CLASS II.—SALARIES AND EXPENSES OF PUBLIC DEPARTMENTS.

(7.) Motion made, and Question proposed,

"That a sum, not exceeding £5,350, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1879, for the Salaries of the Officers and Attendants of the Household of the Lord Lieutenant of Ireland, and other Expenses."

MAJOR O'BEIRNE drew attention to what he considered the injustice to which certain classes of Staff officers were now subjected. There were some Staff officers, such as deputy quartermaster generals and deputy adjutant generals who were occupied from six to eight hours a-day working in an office. Their duties involved a great deal of correspondence and labour, and were of a very responsible character. The deputy quartermaster general had the superintendence of the removal of all the troops in his district, and was continually in correspondence with the War Office concerning trifles. Yet these hard-worked Staff officers only got the same pay as *aides-de-camp*, whose duties were of the lightest character. Four *aides-de-camp* were kept at Dublin Castle, and their only duties were at the Official Reception, which lasted but for a few hours at a time. To mark his sense of the inequality he had mentioned, he should move to reduce the Vote by the sum of £324, the salaries of those gentlemen.

Motion made, and Question proposed,

"That a sum, not exceeding £5,026, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1879, for the Salaries of the Officers and Attendants of the Household of the Lord Lieutenant of Ireland, and other Expenses."—(*Major O'Beirne.*)

MR. J. LOWTHER did not think that the hon. and gallant Member had made out any case for the reduction which he sought. So long as the position of the Viceroy of Ireland was sanctioned by Parliament, he thought it could not be denied that the dignity of the position required the presence of those officers.

MAJOR O' BEIRNE observed, that he wished particularly to direct the attention of the right hon. Gentleman to the gross injustice of giving those officers, who did nothing but amuse themselves, the same Staff pay—namely, 9*s*. 6*d*. per day—as a class of officers who were worked very hard. He should not take a division upon the matter; but hoped the grievance would be remedied.

MR. PARNELL was surprised at the hon. and gallant Member making the suggestion he had, as he would never be forgiven by the ladies of Dublin.

MAJOR O'BEIRNE begged to withdraw his Motion.

Motion, by leave, *withdrawn.*

Original Question put, and *agreed to.*

(8.) £20,178, to complete the sum for the Chief Secretary for Ireland, Offices.

MR. O'SHAUGHNESSY said, that he did not intend to propose the Motion to strike out the salary of the Chief Secretary, of which he had given Notice. The reason he had had for wishing to raise the question was, that the duties of the Chief Secretary were too multifarious for them all to be well done, even if the Office were held by a Gentleman so well qualified as the present Chief Secretary. But as this question must come before the House in its entirety before a very distant period, he should not now make the Motion of which he had given Notice.

MR. BUTT said, that the Board of Works in Ireland and the Local Government Board ought to be presided over by Parliamentary Leaders, as they were in England. It was utterly impossible for any Chief Secretary—however good—to give his attention to all the offices of which he had charge, and the result was that the Departments were virtually irresponsible. He had already brought forward a Motion on the subject, and he could assure the Government that it would be pressed again and again until the system, by which the Chief Secretary was the nominal head of those Departments—which were thus made virtually irresponsible—was abolished. If any hon. Member would take the trouble to read the Reports relating to the management of the Board of Works in Ireland, he was sure he would agree with him. The Board of Works had not kept a proper minute-book for the last five years. When cross-examining the Clerk of the Board on a Committee, he said he held a minute-book, and produced it. But the first thing he (Mr. Butt) saw in it was a report of a speech of his own in Parliament attacking the Board. In his opinion, the details of Irish Government would be much better brought before the House, if the two Boards he had mentioned were presided over by responsible Ministers with seats in Parliament.

Major NOLAN remarked, that the Veterinary Department was included in the Vote for the Chief Secretary's Office, and for that reason he wished then to make a few observations with regard to its management. The Irish Veterinary Department was less expensive than the English, but it had not so good a reputation. The total cost of the Irish Veterinary Department was £1,954; on reference to page 90 of the Estimate, it would be seen that the expenses of the Veterinary Department in England amounted to £15,000. Last year there was also a Supplementary Estimate for the English Veterinary Department, making the cost of it altogether £29,000. Yet, although there was this contrast between the cost of the English and the Irish Veterinary Departments, there were more cattle in Ireland than in England and Wales together. In England £2,270 was voted for Inspectors, their salaries ranging from £100 to £460 a-year, and their number might be roughly put down at 20. In Ireland, on the other hand, there was only one Inspector. If there were much cattle disease in Ireland, it should be borne in mind that it was not because the cattle in Ireland were less unhealthy than in England, but because they were in greater numbers. In his opinion, the cattle disease would be much better dealt with by a central authority than a local one. Why should they not have 8, or 10, or 14 Inspectors in Ireland? They had half as large an area as England, and fully the same amount of cattle. It seemed to him that this was a matter of great practical importance. The Veterinary Department in Ireland was stinted, and at the same time the double inspection of cattle from Ireland was commented upon. He thought the Government ought to look into this matter, with a view to provide some mode of inspection in connection with the Central Department as in England, and that the Estimate for the Irish Veterinary Department ought to bear a more equal proportion than they now did to those of England.

Mr. WHITWELL wished to allude to the imperfect inspection of cattle coming from Ireland to England. Anyone acquainted with the circumstances of the case knew that from time to time in the county of Cumberland most grave results had followed from the improper inspection of cattle at Belfast. No doubt, foot-and-mouth disease would exist in Ireland as well as in England. But those who had paid attention to the subject might have read a valuable Paper of the Chief Constable of Cumberland, in which instances were given by him of cattle landed at Whitehaven and other places in Cumberland from Ireland, having brought disease into the county. What was required was a better inspection of cattle on the other side of the Channel. It was a great fault on the part of the Government of Ireland that they did not see the inspection of cattle better carried out. Only nine persons were employed by the Veterinary Department in Ireland; one of these was employed in cleaning an office, another was a messenger, and three were persons employed in the police. There was, practically, only one Inspector, at 8*s.* 6*d.* per day; and a Director, who could not be expected to be in more than one place at the same time. They wished to continue the importation of cattle from Ireland as freely as possible, but it was absolutely necessary that cattle should be properly inspected before they left Ireland. He trusted that the right hon. Gentleman—now he had had his attention drawn to this subject—would see that the matter complained of was remedied.

Mr. BUTT agreed that there ought to be a more stringent inspection in Ireland. If there were, the dual inspection, which was so much objected to, would be avoided. He would have no objection to a rigid inspection at Irish ports. Then, unless disease were discovered, animals could be landed without examination in England, and trade would be facilitated between the two countries without creating danger or difficulty.

MR. J. LOWTHER said, the hon. Member for Kendal (Mr. Whitwell) was not correct in his supposition that his attention had not been called to the subject; because, during the last few days, he had been in communication with gentlemen on it, and it was likely to occupy the attention of Parliament at no very distant period. Several days in the week were set apart for the consideration of the Cattle Bill; and he, therefore, hoped that they would not be prematurely drawn into a cattle debate. The question raised had already been under the consideration of the Government, and their intentions would in due course be communicated.

MR. BIGGAR said, before the Vote passed, he wished to point out to the right hon. Gentleman what he did not seem to be aware of—that in passing the Irish Cattle Plague Bill through Parliament great injustice was done to Ireland. A certain class of Inspectors in England were paid by the Department; but in Ireland this was not done, and as a consequence, the ratepayers of Dublin had to pay for the inspection of cattle which did not belong to their district, had nothing whatever to do with them, and did not benefit them in the slightest degree. He thought this injustice should be remedied.

MR. MURPHY said, he did not intend to be drawn into a general debate on the Cattle Bill; but he only wished to remark that, so far as his experience extended, a most rigid system of inspection was practised at the ports, and no beast was allowed to be embarked without having been examined. He did think, however, some better regulations might be made.

MR. PARNELL said, before the Vote passed, he wished to call attention to an item which seemed to him to be very extravagant. Under sub-head D, there were charges for journies to London and Dublin of draftsmen of Bills amounting to £480. He had in his hand a list of the number of Irish Bills prepared and brought in by the Government during this Parliament. They were very few in number, and chiefly Bills of a very formal character, such as Local Government Provisional Order Bills. He could only suppose, therefore, that the Government were about to turn over a new leaf, and, with the intention of bringing in a great number of Irish Bills, had given their draftsmen a good deal more work.

MR. J. LOWTHER remarked, that the Government had desired to be as economical as possible.

Vote *agreed to.*

(9.) Motion made, and Question proposed,

"That a sum, not exceeding £1,568, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1879, for the Salaries and Expenses of the Office of the Commissioners of Charitable Donations and Bequests for Ireland."

MR. DILLWYN wished to know whether the Government meant to go on any longer? He was informed that there would be a considerable amount of discussion on the next Vote, and that it was not at all likely that it would be finished that evening. He would, therefore, move to report Progress.

Motion made, and Question proposed, "That the Chairman do report Progress, and ask leave to sit again."—(*Mr. Dillwyn.*)

MAJOR NOLAN remarked, that the evening had been given up to these Votes.

MR. BUTT said, he was going to move the same Motion, not with the intention of dividing on it, but merely in order that he might ask the Chief Secretary not to press the next Vote. He had every desire to assist the Government in passing the Estimates, but that Vote, at any rate, ought not to be passed without some conversation; and, therefore, he thought he was justified in asking the Chief Secretary to postpone it.

MR. J. LOWTHER said, they had now reached an hour when Supply was only taken by the indulgence of the Committee; and, therefore, he thought the request of the hon. and learned Member quite reasonable. So long as the Votes were not seriously contested, he hoped they might be allowed to go on.

MR. DILLWYN very readily accepted the suggestion, and would withdraw his Motion.

Motion, by leave, *withdrawn.*

Original Question put, and *agreed to.*

(10.) Motion made, and Question proposed,

"That a sum, not exceeding £95,796, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1879, for the Salaries and Expenses of the Local Government Board in Ireland."

Mr. MELDON said, some questions arose on this point which would not delay the Committee very long, but were well worthy of discussion. First, he wished to call attention to the staff of Medical Officers and Medical Inspectors employed. They had recently passed a Public Health Bill for Ireland through that House, and, in order that it should work satisfactorily, it was necessary that the Local Government Board should properly administer the duties confided to them by the Act. It was important in Sanitary Acts that there should be proper inspection. In England that was done most satisfactorily. If there was an outbreak of disease anywhere, a special officer was immediately sent down to inquire into the cause of the disease, and to ascertain what measures were necessary to put an end to it. In Dublin, on the other hand, they had had for some time past an exceedingly severe outbreak of small-pox; but, so far as he knew, the Local Government Board had taken no steps whatever to ascertain the causes of that epidemic, or the means by which it could be stopped. The Public Health Committee had, no doubt, been working exceedingly hard in this direction; but, at the same time, duties of that kind should not devolve upon it. If the Local Government Board had not done its duty in Dublin, what must be the case in remote country districts? Unless the Local Government Board was provided with Inspectors to send about the country and make inquiries, the Public Health Act would be useless. These Inspectors were necessary not only to inquire into the causes of epidemics, but to see that the sanitary officers in various places were discharging their duties. An officer often found great difficulty in discharging his duty in an efficient way. There were private interests which he might interfere with, and so injure himself. That rendered it all the more necessary that there should be some supervising officer to see that the work was done. These officers were provided in England; and, therefore, he hoped the matter would be attended to. Another matter to which he wished to call attention was the very great inducements and facilities for vaccination held out in England, as compared with Ireland. When he first moved in this matter, some four years ago, there was £300 a-year devoted to dispensing lymph throughout the country. That had now been increased to £1,200, but still the supply of lymph to the Institution in Dublin was not at all what it ought to be or what was at all sufficient for the requirements of the country. The quantity to be had in England was unlimited, and he did not see why it should not be so in Ireland—whereas, in fact, medical men could not be supplied there with all that they wanted. There was a certain amount of feeling against vaccination in England; but that did not exist in Ireland, and the Vaccination Laws could, therefore, be carried out in that country most effectually. He understood that the authorities in Ireland did not require the Constabulary to be vaccinated, and that in consequence small-pox was raging amongst them. If the statement were true, this ought not to be. In Ireland, nothing was given to encourage vaccination, except this paltry sum of £1,200, for the supply of vaccine gratuitously; whereas, in England, £16,000 was voted annually to medical men as gratuities for successful vaccination. This was very important, because they had had epidemics of small-pox of late; whereas, there was no doubt the disease could be stamped out if proper precautions were taken, and the vaccine were properly used. Again, the fee for vaccination in Ireland was 1*s.*, no matter how far the medical man had to travel; whereas, in England, it averaged 2*s.* 6*d.* No doubt, this was a dry subject, but it was an exceedingly important one, and well deserved the attention of the President of the Local Government Board. He hoped that next Session they would see that the matter had received his careful consideration, and that something had been done.

Mr. GRAY said, the Local Government Board was in a very bad way. Last year he divided the Committee on the salary of one Commissioner, and this year, if nobody else did it, he should feel it his duty to divide the Committee on the salaries of all the Commissioners. He had some experience of this Board, and he was of opinion that it did not do its work in at all a satisfactory way. In England, the Poor Law Commissioners were converted, as the Local Government Board, into a real living, working effective body, officially represented in the House, and with many men of high official position upon it; but in Ireland three Commissioners, every one of whom had held his position for a very long time, were converted by a stroke of the pen into the Board. At first it was attempted to make a few clerks in the Chief Secretary's Office into the Irish Local Government Board, under the title of the Local Government Board of the Chief Secretary's Office. This failed, owing to the Act being badly drawn and unworkable. Then the three Poor Law Commissioners were made the Board, with the addition, *pro formâ*, of the Chief and Under Secretaries. From his experience as Chairman of the Public Health Committee of the Dublin Corporation, he said the Board was utterly useless. In England, the Board did its work, issuing Circulars, attending to outbreaks of infectious disease, and looking into various other matters; but in Ireland they did nothing, or as next to nothing as was possible. As a matter of fact, as a Sanitary Board, they did no sanitary work, exercised no supervision whatever, and did nothing to stimulate local bodies to attend to their duties. Unless they re-organized this Board, the Public Health Act that they had recently passed would be a dead letter. He would give them a sample of what kind of men this Board was composed of. One of the Commissioners sent a complaint to the Dublin Public Health Committee a little while ago. He said that his house was rendered unfit to live in, because of the public sewers not being ventilated; and gave them a pretty little disquisition how the sewer gas rose in an opposite direction to the fall of the liquid contents of the sewer, and entered his house by the house drain, causing his servant to get typhoid fever. The sanitary authority ventilated the sewer, and then investigated this Commissioner's own house. They found it in a condition simply frightful—in fact, when the basement was torn up, it was found to be little better than a cesspool. In this case it might have been said—"Doctor, cure thyself." But what hope was there of real sanitary reform with such men at the head of affairs. Last year, at the request of the hon. and learned Member for Limerick, a Commission investigated the Board of Works, and it was found to be in a very rotten state. He was convinced, if an impartial inquiry were made into the state of the Local Government Board, it would be found to be in an infinitely worse state. That being so, he would not divide the Committee against any one individual of the three composing the Board; but would move the reduction of the Vote by £4,200, the salary of the three Commissioners, because he believed they did no effective work.

Motion made, and Question proposed,

"That a sum, not exceeding £91,396, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1879, for the Salaries and Expenses of the Local Government Board in Ireland."—(*Mr Gray.*)

MR. J. LOWTHER said, he had carefully considered the position of these Commissioners as affected by the Public Health Act, and no doubt the new duties imposed on them would require consideration as regarded the staff. He certainly would inquire concerning vaccination. He was not aware at all that vaccination had been neglected in the Constabulary, until the hon. Member mentioned it, and he would inquire into the matter. He knew that the hon. Member for Tipperary (Mr. Gray) felt strongly about the Commissioners; but he could only say that he knew those gentlemen were actuated by a sincere desire to do their duty, and he hoped the Committee would support the Vote.

MR. GRAY said, it was well known that one of these gentlemen had done nothing for years upon years except sign his name on the back of cheques for his own salary. No mere re-construction of the Office, in fact, would do. These gentlemen had been where they were too long, and were now too old for work. The Chief Secretary was in error also in supposing that new duties had been imposed by the Public Health Act. It was little more than a consolidation of the law which the Local Government

Board had neglected to put into effective operation.

Mr. MELDON said, everyone who came from Ireland knew the Local Government Board to be thoroughly useless. But even if they were not to blame that was no reason why a Parliamentary Committee should not be allowed to investigate the way in which they discharged their duties. The health of Ireland was a very important consideration. For months a tremendous epidemic had been raging in Dublin, and nothing whatever had been done to stop it, although the medical men of the city had foretold its coming long before. The hospital accommodation, too, was so bad that for some time people had to be nursed in wooden sheds, until something better could be got ready. The same thing had happened before; and therefore, he thought they were justified in asking for an inquiry, and should not be put off in the cavalier way they had been by the Chief Secretary. The statements they made about the Board of Works were verified by the Report now on the Table; and that, he contended, justified their asking for an inquiry into this Board also. He did not think there was a Member who knew anything of this Board who would not endorse the representations made that night on this very important subject.

Major NOLAN said, the experience of Dublin was not singular. In a small town in his county, 10 per cent of the population died from an epidemic, and he was quite sure half of them might have been saved if proper and prompt measures of repression had been taken. Whenever there was an outbreak of small-pox, they ought, at the moment, to know what to do, just as a General at the head of the Medical Department would act. There ought to be plans ready cut-and-dried. A small town in the county of Galway had furnished a striking example of the necessity of prompt measures being taken with regard to this disease. He thought the Irish Members ought to press their opposition; and if they persisted in doing so, he certainly would support them, for unless they pressed this question upon the consideration of the Government, the deaths of many persons in Ireland would lie at their doors.

Mr. PARNELL was reluctant to speak upon this question, because it was a serious thing to do, or say, anything which might diminish the confidence of the people of Ireland in the beneficial effects of vaccination; for there could be no doubt that such results had been arrived at, so far as he had been able to ascertain. But he looked with some concern at what he considered the carelessness which the President of the Local Government Board seemed to display in regard to the question of obtaining a supply of pure lymph; for now the medical men of Ireland were supplied with vaccine matter from English sources, and had not their own to go to, as formerly. In passing, he might observe that the medical practitioners in Ireland had always manifested the greatest desire to obtain pure lymph, exercising the utmost care in collecting it; and for this trouble they had not been at all recompensed. But all that had been changed, and now vaccine matter was sent to Ireland from England. That course had been adopted in compliance, he believed, with the request of the hon. Member for Galway (Mr. Mitchell Henry), who had complained of the difficulties the medical men laboured under, and asked that they might, in future, be able to obtain lymph for the purposes of vaccination from the Institution in England that collected the matter. But it was a remarkable circumstance that the outbreak of small-pox, to which reference had been made, occurred shortly after the lymph had been drawn from the new sources of supply; and it was certainly calculated to create considerable distrust in the minds of the people who had hitherto thought well of vaccination, when they observed that the sending of matter from England was followed by a severe outbreak of disease in Dublin, such as had not been witnessed for a considerable number of years. He should like to see greater attention paid, by those who were responsible, to the collection of lymph, and greater security given that it should not be the vehicle of disease. So far as he could gather from what had fallen from the President of the Local Government Board, there was no security attending the collection of this lymph. The people might, at any time, be blood-poisoned, or infected with diseases of the most horrible character, through impure vaccine matter being used when persons were re-vaccinated. He hoped, therefore, that the Government would be pressed to give some guarantee that the lymph they supplied was not likely to communicate any disease.

MR. SCLATER-BOOTH scarcely thought he could have rightly heard the hon. Member who had just sat down, when he understood him to say that no adequate care was taken by the Local Government Board to secure lymph of a pure character. As he had already explained on a former occasion, the contrary was the fact. Every conceivable care was taken to obtain pure lymph for vaccination purposes; and he, therefore, defied any hon. Gentleman to point out a single case in which lymph sent out from the Local Government Board Office had been followed by any deleterious consequences whatever. Every specimen of lymph that was issued, whether to Ireland or elsewhere, was first subjected to the most minute microscopical examination; and where there was the slightest doubt as to its purity, the matter was rejected. He was not aware that any imputation had ever been cast upon the purity of the lymph supplied.

MR. SULLIVAN said, after all, that was only a collateral issue. The main question was, would the Government institute an inquiry into the working of this Department, similar to that made into the management of the Board of Works. However unpleasant, the facts ought to be brought to light by an investigation. Certain statements had been made in the Committee that evening which could not be ignored. They had been made on the authority of the hon. Member for Tipperary (Mr. Gray), and it became the duty of some Member of the Government to refute them, or else grant an inquiry. He appealed to the Government to intimate their intention of making some inquiry into the working of this Department.

MR. BIGGAR said, it seemed to him that this Local Government Board was in a thoroughly demoralized condition; and that being so, he would not attempt to interfere with it. There was, however, a question raised in the early part of the discussion by the hon. and learned Member for Kildare (Mr. Meldon) to which he should like to refer for a moment, as to the appointment of a further number of Medical Inspectors. For his own part, he was rather disposed to insist upon the present Inspectors performing their duty, and when it was found that they discharged their duty satisfactorily, the question of appointing an additional number might then be properly considered. He certainly should not think of doing anything more for these gentlemen, who received salaries, and gave nothing in return.

MR. J. LOWTHER said, the hon. and learned Member for Kildare (Mr. Meldon) had described his answer as being of a cavalier character. For his part, he did not know what was the definition of the word; but he supposed the hon. Member meant that he had declined to commit himself to any opinion until he had had the opportunity of becoming personally acquainted with the details to which reference had been made in the course of the discussion. He had assured the Committee that he would make himself personally acquainted with the working of the Department, and he hoped to have an early opportunity of doing so. But as to a general inquiry, he did not wish to be understood as holding out a prospect of anything of the kind. He would make a personal inquiry, but beyond that he could not go.

MR. PARNELL said, great good had been obtained from the inquiry, held last year, into the management of the Board of Works in Ireland; and he believed that good also would be obtained by an inquiry being instituted into the working of the Local Government Board in Ireland. Unless the Committee were prepared to put off for a whole year the benefits which would be derived from such inquiry, the Vote ought to be postponed; but if the Vote were passed, they were not likely to get the desired inquiry until that time next year, when the question would again come before the Committee. A whole year would thus be lost. With reference to the microscopical examination of lymph upon which the President of the Local Government Board relied for the purposes of insuring the purity of the matter supplied from that Office, it was a well-known fact amongst scientific men that no amount of microscopical examination was sufficient to insure that lymph was free from disease—in truth, no examination of whatever kind could guarantee that result. The only way in which they could insure that lymph was not diseased was by knowing all the people from whom the matter had come, or by tracing it to the original source of supply. The lymph was taken, in the first instance, from the calf, and if they knew it passed through no impure channel afterwards, then they might conclude that it was not contaminated. There was no other way that he was aware of for insuring the purity of vaccine matter.

Mr. BELL expressed his determination to support the Amendment, unless, upon the appeal of Irish Members, the Government held out some hope of clearing up this matter.

Mr. J. LOWTHER thought the hon. and learned Member for Louth (Mr. Sullivan) had misunderstood what he wished to convey. What he wished to convey to the Committee was that, as President of the Local Government Board in Ireland, he had never yet had an opportunity of making himself personally acquainted with the individuals whose conduct of the Department had been impugned; and that he hoped, before long, to investigate the matter personally. Considering the state of Public Business in the House, it was hardly necessary for him to say that he could not hope to make that inquiry at present. He could not see his way to making a journey over to Ireland until the termination of the Session. If the Vote were postponed, of course the whole of the Medical Service would come to an end for the year, which result, he presumed, hon. Members opposite did not desire. The hon. Member for Hartlepool (Mr. Bell) had said until this matter was cleared up he should be bound to oppose the Vote. He thought, however, the hon. Gentleman would agree with him that the Government would not be justified in consenting to a general inquiry until he (Mr. Lowther) had had an opportunity of personally acquainting himself with the matter. He hoped, therefore, the Committee would not insist upon the proposed inquiry.

Mr. O'SHAUGHNESSY called especial attention to the answer just given, as showing the inconvenience of putting the whole of the State Offices connected with Ireland upon the shoulders of one man. He regretted that the challenge thrown out by the hon. Member on the Bench behind him (Mr. Gray), with reference to the Local Government Board in Ireland, was not to be accepted by the Government. From what he himself knew of the officers of the Local Government Board, he did not think they would object to such an inquiry being instituted as that which the hon. Member (Mr. Gray) had suggested. There might be defects in the operations of such a Department, for it was one difficult to work. It constantly came into collision with local authorities all over the country; but, on the whole, its work was generally good, and, consequently, would bear investigation. When the right hon. Gentleman (Mr. J. Lowther) did not pretend to know the details of the office sufficiently to enable him to deny the charge which had been made with regard to the working of the Department, it was really due, not only to the Local Government Board itself, but to the Government and Administration in Ireland, that an inquiry should take place.

Mr. GRAY said, this matter had assumed a somewhat serious aspect. He had no fault to find with the administration of the Poor Law by the Local Government Board in Ireland; but he did maintain that they failed in the administration of the new duties cast upon them by the Sanitary Acts. One of the Commissioners, the Hon. Mr. Bellew, never did anything. The Medical Commissioner, Mr. King, devoted no attention to the stimulating of sanitary authorities to action. The Local Government Board in Ireland was in the wrong in not constantly issuing Circulars, model bye-laws, advice, and suggestions of all kinds, which had the most beneficial effect in England. He had to get such information at the Local Government Board in London as could not be obtained in Ireland. The right hon. Baronet the present Secretary of State for the Colonies, and formerly Chief Secretary for Ireland (Sir Michael Hicks-Beach), would remember a discussion which took place on this subject last year, when pressure was put upon the Government to consent to an inquiry as to the constitution and management of the Board of Works in Ireland, and also as to the Local Government Board in that country. He could not say that any distinct promise was made; but his recollection led him to believe that something in the shape of a hope was held out that the investigation should take place, and if any necessity for reform was shown, there should be a full and complete inquiry as to all branches of the subject. He would also remind the House—and in this he was also in the recollection of the right hon. Baronet—that in the Committee of which he was Chairman, the Secretary of the Irish Board was called, and was unable to give any information, so that it became necessary to call English witnesses to explain the meaning and working of the Irish Act.

MR. MELDON thought it was not possible profitably to discuss so important an Amendment at that late hour —1.20 A.M.—and, therefore, he moved to report Progress. In doing so, he must express surprise that the Government would not assent to the appointment of a Departmental Committee to inquire into and report upon matters of so great importance as those involved in the Vote before the Committee.

Motion made, and Question proposed, "That the Chairman do report Progress, and ask leave to sit again."—(*Mr. Meldon.*)

SIR MICHAEL HICKS-BEACH said, it was perfectly true that he was Chairman of the Committee which inquired last year into the working of the Irish Sanitary Acts, and he remembered that the Secretary of the Irish Local Government Board was summoned as a witness; but it was not from any inability on his part to give information that, after being in attendance for two or three days, the gentleman returned to Ireland. It was necessary that he should return, in order to attend to certain departmental work requiring his personal supervision. With regard to the members of the Local Government Board, he had had frequent personal communication, during his tenure of Office in Ireland, with Sir Alfred Power, and felt bound to say that he was one of the best, if not the best, officials in the service of the Irish Executive. It had been stated, broadly, in the course of the discussion, that Mr. Bellew did no work; but he should like to know what proof the hon. Member for Tipperary (Mr. Gray) had for that assertion? No doubt, the members of the Board divided the work between themselves in the most convenient manner; but he believed it to be equally true that Mr. Bellew took a share of the work in his own Department, and discharged it in an efficient manner. The same remark applied, as far as his own observation had enabled him to form an opinion, to the other members of the Department. Since the Act of 1874 was passed, he had no hesitation in saying that the Irish Local Government Board had done all that was possible to spread a knowledge of sanitary law among the local authorities who had to administer it, and had themselves discharged thoroughly all the duties which the Act imposed upon them.

MR. GRAY repeated, that he was perfectly accurate in saying that the Secretary to the Irish Board was not able to give information to the Committee, and appealed to hon. Members of the House who were also Members of the Committee for confirmation of his statement.

MR. BIGGAR said, that in his opinion the gentleman was in a position of literally knowing nothing of the subjects in reference to which questions were put to him. In short, he might say that he had never met a more incompetent man. He could say nothing as to why the gentleman left the Committee; but he could say with confidence that he could give no information of the least value on the points which were put to him in the course of his examination.

SIR MICHAEL HICKS-BEACH said, his recollection was perfectly clear upon one point—namely, that the hon. Member for Cavan, who had made these sweeping charges against Mr. Banks, was not present at more than two or three sittings of the Committee, which sat at least a dozen times.

MR. BELL hoped that after the statement of the right hon. Baronet, the Amendment would be withdrawn.

Question put.

The Committee *divided*:—Ayes 32; Noes 78: Majority 46.—(Div. List, No. 212.)

Original Question again proposed.

MR. O'SULLIVAN, who thought it was time for the Committee to adjourn, moved that the Chairman leave the Chair. A great deal of Business had been got through, and he thought the Government ought to be pleased with that fact and assent to his Motion,

Motion made, and Question proposed, "That the Chairman do now leave the Chair."—(*Mr. O'Sullivan.*)

MR. J. LOWTHER said, as there had been considerable discussion on this subject, he hoped the hon. Gentleman would allow the Vote to be taken, and the three others which were immediately to follow. There was, he understood, a general desire on the part of Irish Members that Class II. should be disposed of that night. Of course, if it was not the wish of Irish Members generally now to proceed, he would not press the Votes on. He hoped, however, that the Amendment would be withdrawn.

MR. BUTT did not see what would be gained by postponing this question. It had been discussed, and he saw no reason why the Committee should not at once come to a final decision upon it. He hoped his hon. Friend (Mr. O'Sullivan) would withdraw his Motion.

MAJOR O'GORMAN had no objection to the passing of several of these Votes, provided that the Government would make the promise that the time occupied with the discussion of them would be taken from that wretched Sunday Closing Bill. He would not, by his own consent, allow the Government to get one penny until they had abandoned the principle which they had, up to that moment, adopted of giving every description of indulgence to those people who wished to make themselves Irish Home Rule coercionists.

MAJOR NOLAN urged the hon. Member for Limerick (Mr. O'Sullivan) to withdraw his Motion.

MR. O'SULLIVAN said, as it was the general wish of his hon. Friends, he would no longer stand in the way.

Motion, by leave, *withdrawn.*

Question again proposed.

MR. GRAY expressed his intention not to divide the House on the present occasion. He hoped the Chief Secretary for Ireland would see reason to change his mind, and would grant the inquiry which had been asked for. Unless his own views changed considerably on this subject, he should consider it to be his imperative duty to press this question more strongly upon the Committee next Session. He hoped that the Government would consider the question between this and next year.

Motion, by leave, *withdrawn.*

Original Question put, and *agreed to.*

(11.) £4,524, to complete the sum for the Record Office, Ireland.

(12.) £12,659, to complete the sum for the Registrar General's Office, Ireland.

(13.) £16,244, to complete the sum for the Valuation and Boundary Survey, Ireland.

Resolutions to be reported *To-morrow;* Committee to sit again upon *Wednesday.*

IRISH CHURCH ACT (1869) AMENDMENT (No. 2) BILL—[BILL 244.]

(*Mr. Shaw Lefevre, The O'Conor Don, Mr. Errington.*)

SECOND READING.

Order for Second Reading read.

MR. SHAW LEFEVRE, in moving that the Bill be now read a second time, said, its object was to enable tenants holding property belonging to the disestablished Irish Church who were not in a position to buy the properties out-and-out to get possession of them by means of leases in perpetuity. If a right of the kind was not given to the tenants, there was a probability of the properties being bought up by land-jobbers, who would, probably, not prove very good landlords; and good tenants who had lived on the properties for many years would fall into bad hands and suffer very unjustly in consequence. The view which he held had been supported by one of the Judges of the Landed Estates Court, who was examined before a Committee on this subject, and as no injury would be done to the property of the Irish Church in relation to the question of value, he hoped the House would assent to the second reading of the Bill. He might remark that the Bill was not compulsory, but permissive.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. Shaw Lefevre.*)

MR. J. LOWTHER opposed the Motion, on the ground that the Bill involved a most vicious principle. It was true that the Irish Land Act contemplated the possibility of the tenants purchasing their holdings; but it was never intended that they should obtain possession of them by means of perpetuity leases, than which he could scarcely imagine a worse or more mischievous system for the tenure of land. The question had, time after time, been brought before the attention of Parliament, and nothing but condemnation had been heaped upon it. The system which was proposed would not constitute the purchasers of property sold subject to these proposed leases owners of the soil; they would be mere rent-chargers, with not the slightest obligation upon them to improve the lands of which they had become the nominal owners; but which would, for all practical purposes, be owned by the lessees. He begged to move that the Bill be read a second time that day three months.

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day three months."—(*Mr. James Lowther.*)

Question proposed, "That the word 'now' stand part of the Question."

THE O'CONOR DON said, he could not understand the objection of the right hon. Gentleman the Chief Secretary for Ireland to the present Bill. Of course, a man who purchased land which was let on a perpetuity lease would not be in the position of an ordinary absolute owner; but he would have a very good security for the interest of the money which he had expended in the purchase; and the Church Commissioners would be perfectly justified in entering upon transactions of the kind, for he did not anticipate that they would part with the lands at any loss. They would not, in fact, part with the properties in any case at anything short of their full value. They would get increased rents from the tenants in consideration of the perpetuity leases, and these rents could be sold at a very fair rate. The evidence, which was given before the Committee, supported the views of the hon. Member who had charge of the Bill, and he believed that the measure would have the effect of carrying into effect the intention of the Legislature when it passed the Irish Church Act—namely, that tenants who had not sufficient money to buy their holdings out-and-out, should not be handed over to the tender mercies of the worst class of landlords.

MR. MELDON said, the species of tenure contemplated by the Bill, and to which the right hon. Gentleman the Chief Secretary so strongly objected, was a common one in Ireland, and had been found to work satisfactorily in most cases. His hon. Friend the Member for Roscommon, in referring to the evidence given before the Select Committee, omitted to say that the then Attorney General for Ireland, who represented the Government, made a Report, in which he recommended as nearly as possible that which was proposed in the present Bill, but which was repudiated by the present Chief Secretary. The hon. and learned Member for the University of Dublin (Mr. Plunket) made a Report in which there was a distinct recommendation that the Land Act of 1870 should be so amended as to give the Judges of the Landed Estates Court power to give leases in perpetuity to the tenants, instead of selling to them out-and-out. It had been admitted by the Chief Secretary for Ireland that the Church Commissioners had been doing very well. If that was so, why should not discretion be given to them, as was proposed by this Bill? He thought the argument of the Chief Secretary was disposed of by the fact that the Bill gave discretion to the Commissioners; and he hoped the right hon. Gentleman would not press his opposition to the measure.

MAJOR NOLAN wished to refer to one point which had not been touched by the Chief Secretary for Ireland—namely, that the Government would be secure in advancing money, and any proprietor would be secure in purchasing land if leases in perpetuity were granted; because the purchaser who bought such a lease would have the goodwill of the tenant for his security, while the tenant would not forfeit his perpetuity lease, so that a very good purchase would give place to a very bad one. All the practical men that had given evidence—Judges of the Landed Estates Courts and others—strongly recommended that this power should be given. The general wish of the people in Ireland was that there should be a more settled state of affairs, which they believed would be secured by this Bill giving to a larger number of people a strong local interest either as owners or holders of long leases. The measure was a moderate one. The

Chief Secretary had said, with all the authority of the Cabinet behind him, that the Government would not allow a thousand tenants to have the security which this Bill proposed to give them. The Government, in endorsing that statement, would be taking a strong step for themselves, in resisting a moderate measure which would involve loss neither to the public nor to any individual.

MR. PARNELL did not know whether the Chief Secretary for Ireland had been in communication with the Church Commissioners with regard to this Bill. Perhaps the right hon. Gentleman would be kind enough to intimate whether he had communicated with them or not; because, if he had not, it would be a great advantage for him to ascertain their opinion upon this subject before finally disposing of the Bill this Session. This was an important matter, since it concerned the welfare of about 1,000 poor tenants in Ireland. If the Bill were rejected, it would be the last attempt made to obtain some sort of fair treatment for them; for the land in question would be sold in the Landed Estates Court, in all probability to small land-jobbers, who made the worst class of landlords. He did not think the Chief Secretary was aware of the fate to which he was about to consign these tenants, or else he would not have dismissed so summarily this valuable Bill. It did not put the Commissioners in any worse position than that which they occupied at present; in fact, it put them in a much better position. The Bill was only permissive in its character. It did not compel, as the right hon. Gentleman (Mr. J. Lowther) seemed to suppose, the Commissioners to do anything. It merely proposed to give them permission, if they thought desirable, to give perpetuity leases. If the right hon. Gentleman had not taken the opinion of the Church Commissioners as to the desirability of this Bill becoming law, it was hoped that he would agree to do so; and that he would accordingly allow the debate to be adjourned until he got their views upon the subject, and had time to consider them.

MR. O'SHAUGHNESSY complained of the treatment which the Bill had received at the hands of the Government. It simply amounted to this. At the instigation of their Irish supporters on the Ministerial side, they declared their full determination, under no circumstances, to have any peasant proprietors in Ireland. This appeal to the Government, that they would pass the Bill, was probably the last which would be made during the present Session. The request was made, not at the cost of a single proprietary right, or of a single sentiment as to property; but it was an attempt made to get out of the land which belonged to the Church of Ireland something like a proprietary right for the peasantry. If the Church had continued in possession of the land, it would have been better for the tenants; because, although they enjoyed only temporary holdings, and might have to pay increased rents according to the increased value of their holdings, still they would not be subject to the treatment which, in the present state of legislation, they would probably receive at the hands of the paltry land-jobbers, when the latter had obtained possession of the property. These landowners would not rise to the dignity even of that class described by the right hon. Gentleman (Mr. J. Lowther) the other evening as "carpet-bag" proprietors and purchasers of land, if this modest and moderate measure were rejected by the House. If its rejection did not serve a single aristocratical or feudal sentiment lurking in the breasts of hon. Gentlemen from Ireland who sat on the opposite side, at any rate it would offer a distinct encouragement to the Irish peasantry to fill their minds with the idea that the House of Commons was determined not to comply with their just demand for fixity of tenure.

MR. SULLIVAN did not think the right hon. Gentleman (Mr. J. Lowther) required any "nods and winks" from hon. Members behind him with regard to this Bill; because, with a candour which was quite refreshing, the right hon. Gentleman had the other evening told the House that he detested this Land Act, and that it was passed against his most energetic, not to say obstructive, resistance. That was surely an unpleasant position for the right hon. Gentleman to be placed in. It was as if they had asked Mr. Jefferson Davis, of America, to put in force the Act for the emancipation of slaves.

MR. SHAW LEFEVRE observed, that this Bill, which had been described in the course of the discussion as a revolutionary measure, was practically recommended by the hon. and learned Member for the University of Dublin (Mr. Plunket), who in his Report had recommmended that, in case of sales in the Landed Estates Court, the Judges should have power to sanction fee farm grants to tenants in perpetuity. The clause containing that recommendation had been passed by the unanimous vote of the Select Committee. There was not a single dissentient; and that proposal was founded mainly upon the evidence of Judge Flanagan. In bringing forward this Bill, he did not for a moment propose that the Church Commissioners should lose money by it; for it was merely a permissive measure. They could undertake, or decline to undertake, any transaction, according as they thought fit. Perpetuity leases were well known in Ireland, and there was a good market for them. There was a provision in the Irish Church Act that perpetuity leases should be sold at not less than 25 years' purchase. That showed there was a good market in Ireland for such leases, and a good price was obtained for them. Therefore, no loss would accrue to the Church Commissioners; and it was an entire illusion for the right hon. Gentleman the Chief Secretary for Ireland to suggest anything of the kind. The suggestion of loss only showed that the right hon. Gentleman had never consulted the Commissioners, or his own Attorney General, who entertained an opinion altogether contrary from that which had been expressed by the right hon. Gentleman himself. The Chief Secretary for Ireland, without having looked into the Report on this subject, without having consulted the hon. and learned Member for the University of Dublin (Mr. Plunket), and relying only on his English knowledge of perpetuity leases, which stood in a different position from those in Ireland, now asked the House to reject this Bill; although it was true that perpetuity leases had a good market in Ireland, and that the evidence before the Committee was strongly in favour of passing the measure which the House was now asked to read a second time. Indeed, so strong was that evidence, that he had lost no time, as Chairman of the Committee, in bringing the Bill before the House. If it were rejected, a grave injustice would be done to the tenants concerned.

MR. O'SULLIVAN said, this was not a Party question, but a question between a poor class of tenants and speculators in land. He, therefore, appealed to hon. Gentlemen on the other side to reflect before giving a vote which would place this land in the hands of those speculators, who would probably turn away the tenants from their holdings. Nothing would be lost by passing the Bill. It would give the tenants an opportunity of buying their holdings; and, therefore, he hoped the House would read the Bill a second time.

MR. O'CLERY said, that a few nights back the Chief Secretary for Ireland objected very much to an inquiry into the operation of the Irish Land Act, and referred to landlords like Mr. Buckley as "carpet-baggers." The class of people into whose hands land in Ireland would fall under the system which it was proposed to put an end to by this Bill were not even entitled to the appellation which he had quoted—they were mere landsharks, from whose jaws it was wished to snatch the poorest, but by no means the least deserving, of the class of Irish tenants.

MR. BARING said, it was inaccurate to state that land owned, subject to a perpetual lease, was worth as much as other freehold, and that, therefore, the Irish Church would not suffer by the operation of the Bill; because it stood to reason that no man would pay so high a price for that which he could not sell readily again, as for that which became unconditionally his absolute property. As a proof of this, he stated that the firm to which he belonged had owned property in the city of Cork, subject to a perpetual lease, for nearly 100 years, and owing to this circumstance had never been able to get any acceptable offer for it.

MR. ERRINGTON hoped the Motion to adjourn the debate, which he begged to make, would be agreed to, because it was clear that the Chief Secretary for Ireland had not yet had an opportunity of consulting the Irish Church Commissioners on the subject: it was equally clear that the late Solicitor General for Ireland was in favour of the principle of the Bill, and that if it were not settled at once, the chances of the tenants would be gone for ever.

Mr. FAY, in seconding the Motion, said, he had acted as solicitor for tenants holding under the Irish Church Commissioners; and though some of them could not command sufficient capital to buy their holdings out and out, they were not, therefore, to be despised, and ought to be fairly treated by the Government, so that they might get their property on the payment of a fee farm rent, which most of them would be able to accomplish. The Church Commissioners had in many cases got much higher prices for their land than were obtainable by ordinary vendors in the Landed Estates Court; and, therefore, he thought they should be prepared to make some concession to such of their tenants as wished to get their holdings on leases in perpetuity.

Motion made, and Question proposed, "That the Debate be now adjourned." —(*Mr. Errington.*)

Mr. J. LOWTHER said, it was impossible at that late period of the sitting (2.25 a.m.) to contend against a Motion of the kind that had been made.

Mr. SHAW LEFEVRE said, he would prefer to take a division upon the Main Question.

Mr. ERRINGTON said, under the circumstances, he would ask leave to withdraw the Motion.

Motion, by leave, *withdrawn.*

Mr. PARNELL hoped the Chief Secretary for Ireland would not shut the door in the face of the tenants, but would consent to refer the matter for inquiry to the Church Commissioners. Only the other day he was asked by one of the tenants to whom this question referred to buy his farm in order to prevent its falling into the hands of one of these land-jobbers, who would increase his rent to an exorbitant amount, or turn him out of his holding.

Question put, "That the word 'now' stand part of the Question."

The House *divided:*—Ayes 36; Noes 51: Majority 15.—(Div. List, No. 213.)

Words *added.*

Main Question, as amended, put, and *agreed to.*

Second Reading *put off* for three months.

House adjourned at a quarter before Three o'clock.

HOUSE OF LORDS,

Tuesday, 16*th July*, 1878.

MINUTES.]—Public Bills—*Select Committee* —Epping Forest * (44), *nominated.*
Committee—Report—Supreme Court of Judicature (Officers) * (158).

THE EASTERN QUESTION—THE CONVENTION BETWEEN ENGLAND AND TURKEY.

QUESTION. OBSERVATIONS.

Lord DUNSANY, who had given Notice of his intention to ask Her Majesty's Ministers, Whether in Article VI. of the Annex to the Convention between England and Turkey the words "Kars and the other conquests made by her in Armenia during the late war" were held to include Batoum? said, the Question would be rendered more clear if the 1st Article of the Treaty were read with the 6th of the Annex. In the 1st Article of the Treaty it was provided that if Batoum, Ardahan, or Kars should be retained by Russia, England would take a course about which there could be no misunderstanding. That might be considered as the operative clause. The 6th Article of the Annex seemed in reference to it an abrogating clause, though it must have been meant to be equivalent in its operation. In the latter it was set forth that, unless Russia restored to Turkey Kars and the other conquests made by her in Armenia during the late war, the Island of Cyprus would, under the Convention, remain in the hands of England. No doubt what was meant to be provided was, that if Russia restored all the conquests she had made from Turkey during the late war, then our engagement with Turkey would cease. The wording of the Article raised a doubt whether the engagement with Turkey might be terminated by Russia restoring only Kars and Ardahan and retaining Batoum. Could Russia call upon us to determine the Treaty with Turkey upon the ground that she had fulfilled her contingent obligation by restoring Kars and Ardahan? Batoum, not being mentioned in the Treaty, it was either described under some form of words, or else it was not alluded to at all. It could hardly be considered that Batoum came under the denomination of "conquests" made during the late war, and the people at Batoum would be very much astonished if they were told that they had been conquered. With respect to whether Batoum was properly described as being in Armenia, he had a few words to say. The explanation of the whole matter he believed to be very simple. It was that the words "other conquests" did not really occur in the Treaty itself, and that, therefore, there was an error in the transcription or transmission which would account for the difficulty. It would hardly be possible to use a more vague term than "Armenia," or a more unsatisfactory geographical designation. Some years ago they heard it said that Italy was a mere geographical expression; but he did not think that "Armenia" was even a geographical expression. It was really an obsolete historical expression, without any exact meaning. At least, that was what he gathered from the ordinary sources of information. He had consulted some authorities, accessible to most people, to ascertain whether Batoum was really in Armenia at all. No doubt those who drew the document believed that it was; but there was a wide difference between an opinion or a belief, and that sort of obvious certainty in which they could at once acquiesce. He apprehended that pretty nearly all the geographical authorities were against the idea of Batoum being in Armenia at all. If Batoum was in Armenia, then Armenia would extend to the sea-coast, Batoum being upon the coast. Certainly our English geographical authorities did not admit that Armenia extended to the Black Sea at all. In the new edition of the *Encyclopædia Britannica* there was an article on "Armenia," founded upon the opinions of some of our highest authorities, in which it was stated that it reached from the Caucasus to the mountains of Kurdistan, there being no mention of the Black Sea. Batoum was spoken of as a seaport on the Asiatic shore of the Black Sea, in the territory of Trebizonde. In the *Encyclopædia Metropolitana* he found that Armenia was spoken of as having been gradually reduced to a small compass, and it was added that it might now be considered as bounded by Georgia and Imeritia. At any rate, it was not said that it was bounded by the Black Sea. According to this interpretation of the term, Armenia would not reach to Batoum at all. In *Chambers' Cyclopædia* it was described as a high table land, and nothing was said to imply that it reached the shores of the Black Sea. This seemed to be the general view; the only exception to it being an American authority, which treated the northern boundary of Armenia as reaching to the Black Sea, but admitted that there was much uncertainty as to the boundaries. Indeed, the limits of Armenia had so often undergone change that all parties agreed it was very difficult to say which were its boundaries. To use a word of such unsettled meaning in a Treaty was a rather hazardous proceeding. He need only remind their Lordships that disputes about boundaries were more numerous than about anything else. During the present reign England had had four disputes about boundaries. True, we did not go to war about them; but then they were decided against us. In view of these circumstances, he did not think the question inopportune.

VISCOUNT CRANBROOK said, if the Annex and the Convention were taken together, as they ought to be, there could not be any doubt about the meaning of the phrase to which the noble Lord had called attention. Indeed, when they considered that the Annex was drawn up at Constantinople itself, where what they understood by "Armenia" was perfectly clear to their own minds at any rate, he could not conceive how a question of this nature could arise. He did not venture to enter into the details given by the noble Lord as to the geographical authorities he had cited; but, as far as he was aware, no one insisted upon Armenia not reaching to the Black Sea, because, in stating that it reached to Georgia or the Caucasus, nothing was said about the sea-coast which was called Armenian. The fact was, he believed that "Armenia" was a somewhat indistinct expression; but inasmuch as it included Trebizonde, and as Batoum was in the Pashalik of Trebizonde, it must be taken to include Batoum. In the Treaty the matter was quite clear, because the places were set out by name, Batoum being among them; and it said if any one of them was retained by Russia, the Convention with Turkey would remain in force. With respect to the other expression, in which the word "conquest" occurred, he thought his noble Friend had taken a mistaken view of that word. It was not necessary that a conquest should be directly by force of arms; and because a place might be taken from a country to which it belonged as the result of a successful war, it was hardly less a conquest by force of arms. This was so in reference to Batoum under the Preliminary Treaty of San Stefano; and, therefore, it might fairly be called a "conquest." In that way it would be seen that both documents satisfied the intention. Batoum was a conquest made by Russia, because it was surrendered in consequence of a successful war; and that it was in Armenia there could be no doubt, giving to Armenia the general meaning it everywhere received, although he was not sure that Armenia now extended to the boundaries it once had. There was nothing to show that Batoum was not now considered to be in Armenia; and he hoped no question would be raised, now or hereafter, as to the meaning of the Annex, which was to be taken and read along with the Treaty.

NAVY—H.M.S. "EURYDICE."

OBSERVATIONS.

VISCOUNT CRANBROOK said: My Lords, turning to another subject, I have an agreeable announcement to make. I have received a telegram, addressed to the Secretary to the Admiralty, from the Naval Commander-in-Chief at Portsmouth, which is to the following effect:—The *Eurydice* has been moved 180 feet out of the sand-hold in which she was imbedded, and she is likely to be towed ashore to-morrow morning.

House adjourned at half past Five o'clock, to Thursday next, half past Ten o'clock.

HOUSE OF COMMONS,

Tuesday, 16*th July,* 1878.

MINUTES.] — SELECT COMMITTEE — *Report* — Land Titles and Transfer [No. 291].
SUPPLY — *considered in Committee* — *Resolutions* [July 15] *reported.*
PUBLIC BILLS—*Resolution in Committee*—Contagious Diseases (Animals) [Salaries, Compensations, &c.].

Ordered—First Reading — Collection of Rates (Dublin) (No. 2) * [264].
Second Reading—Prison Authorities Act (1874) Amendment * [246].
Select Committee — *Report* — Corrib (Galway) River * [265].
Committee — Contagious Diseases (Animals) [204]—R.P.
Committee—Report—Admiralty and War Office (Retirement of Officers) [169].
Third Reading — Debtors Acts Amendment * [104], and *passed.*
Withdrawn—Under Secretaries of State * [181]; Lord Clerk Register (Scotland) * [182]; Breach of Promise of Marriage * [80].

QUESTIONS.

LICENSING LAWS AMENDMENT BILL.

QUESTION.

MR. RODWELL (for Mr. STAVELEY HILL) asked the Secretary of State for the Home Department, Whether, having regard to the limitation proposed in the Licensing Laws Amendment Bill, excluding from its operation anything affecting the sale of beer or wine in bottles, he is prepared to offer on behalf of the Government any assistance to the passing of the Bill?

MR. ASSHETON CROSS, in reply, said, he sympathized somewhat with the terms of the Question, as it embodied the suggestion he had made some time ago to the grocers when they came to see him on the subject; but he found there was a very wide difference of opinion on the matter, and he felt it would be impossible, within a reasonable time, for the question to be discussed. He, therefore, could not promise, on behalf of the Government, any facilities for passing the Bill.

EDUCATION DEPARTMENT—EDUCATION MINUTE, 1876—"UNNECESSARY SCHOOLS."—QUESTION.

MR. PEASE asked the Vice President of the Council, in reference to the Minute of the Lords of the Committee of the Privy Council on Education, 21st June 1878, Whether it is the intention of the Department over which he presides that the regulations laid down in the above-named Minute for the purpose of defining that which will not be considered as an "unnecessary school" in a non-School Board district shall also apply to like schools in a School Board district; and, if not, whether he would state the principle on which a distinction in treatment is drawn between schools in and out of School Board districts erected and managed under precisely similar circumstances?

LORD GEORGE HAMILTON: Sir, the Minute alluded to applies only, as is clear from its phraseology, to non-School Board districts, and it defines in those districts what is meant by "unnecessary" by stating that a certified efficient school, with an average attendance of 30, will, after a year's probation, be no longer considered an unnecessary school by the Department. In the School Board districts, by the Elementary Education Acts, the Department have a statutory control over School Board expenditure both as regards the raising of loans, the construction of schools, and the application for annual grants, and they have also the power of refusing to sanction any annual grant or loan for any school which they consider unnecessary. The Government are not prepared to limit this control over School Board expenditure by applying in School Board districts the rule that an average attendance of 30 would place any new school outside the category of unnecessary. They have, therefore, left the discretion of the Department unfettered as regards the applications of new schools in School Board districts.

CONTAGIOUS DISEASES (ANIMALS) BILL—TREATY OBLIGATIONS.

QUESTIONS.

MR. MUNDELLA asked Mr. Chancellor of the Exchequer, Whether Her Majesty's Government have considered that certain provisions of the Contagious Diseases (Animals) Bill, attaching to the importation of cattle from France, Austria, Belgium, and other European countries conditions less favourable than those which it is proposed to attach to the importation of cattle from America and elsewhere, appear to be inconsistent with the stipulations contained in the Commercial Treaties now in force with the Governments of those countries; and, if so, what changes they propose to make in the Bill to render it conformable with our treaty engagements?

MR. GORST asked Mr. Chancellor of the Exchequer, Whether Great Britain is not bound by Treaties with Austria, France, and other nations, to abstain from establishing against their productions any prohibition of exportation or transit, which is not, under like circumstances, applicable to all countries; and, whether the passing into Law of so much of Schedule V. of the Contagious Diseases (Animals) Bill as establishes a prohibition of importation and transit against foreign cattle generally, under circumstances in which an immunity from such prohibition is granted to the United States of America, would not be a violation of this Treaty obligation?

THE CHANCELLOR OF THE EXCHEQUER: Sir, this Question has, of course, from its importance, commanded the attention of Her Majesty's Government, and no doubt we shall have, in the course of the discussions which will ensue on the Bill, to enter more fully upon it. But there is, of course, no doubt that we are bound by certain Treaties to abstain from establishing against the productions of various foreign countries any prohibition of exportation or transit that is not in like circumstances applicable to all countries. With regard to this Bill, it does not impose any prohibition upon exportation, but it does place certain prohibitions upon transit in certain circumstances; and there can be no doubt that any nation having the "most favoured nation" clause would be entitled to demand that the same prohibitions which apply to one country should apply to itself in like circumstances. The only question, of course, would be as to like circumstances. We are not of opinion that the Bill would prevent this treatment being awarded to any nation which might feel aggrieved in the matter.

THE ANGLO-TURKISH CONVENTION.

QUESTIONS.

LORD ROBERT MONTAGU asked Mr. Chancellor of the Exchequer, Whether the Treaty of June 4th between England and the Porte and the Annex of July 1st are to be understood as giving to England the right to interfere in the relations of the Sultan with his subjects and in the internal administration of Cyprus and the continent of Asia; if so, whether that provision affects the Treaty of 1856, Articles vii. and ix.; whether the Treaty of June 4th is valid without the assent of the Powers who were parties to the Treaty of 1856; and, whether (in accordance with the rule laid down in the Protocol of January 17th 1871, and on January 14th 1878, and on March 9th 1878, and on April 1st 1878) the Anglo-Turkish Treaty of June 4th has received the assent of the Powers who were parties to the Treaty of 1856?

The CHANCELLOR of the EXCHEQUER: Sir, this Question is one of a very argumentative character, and I do not think that it is possible to answer it fully without entering into argument. There is no doubt that the Treaty of the 4th of June gives to England a right beyond those which were given by the Treaty of 1856 with regard to the interference or interposition of this country in the internal relations of the Sultan with his subjects in a certain part of his dominions; but I do not think it would be possible or convenient for me to enter into any discussion on the subject.

Lord ROBERT MONTAGU: The right hon. Gentleman has not answered the latter part of my Question, Whether the Treaty was submitted to the Powers who were parties to the Treaty of 1856?

The CHANCELLOR of the EXCHEQUER: I think, when all the Papers are laid upon the Table, my noble Friend will see what has been done.

Mr. DILLWYN asked Mr. Chancellor of the Exchequer, Whether the Turkish Government has entered into any engagement with this Country by which it binds itself to maintain an army to assist in the defence of the Asiatic Territories of the Porte; and, if so, of what number of men is such army to consist?

The CHANCELLOR of the EXCHEQUER: There is no engagement.

THE EDUCATION DEPARTMENT—PROMOTIONS.—QUESTION.

Mr. DALRYMPLE asked the Vice President of the Council, If he would state on what principle promotions in the Education Department are regulated, particularly from the office of examiner to that of senior examiner; and, if promotion by seniority be the rule, on what grounds it is ever departed from?

Lord GEORGE HAMILTON: Sir, the principle upon which promotions are made in this Department in no way varies from the practice of other Departments. When a vacancy occurs, the special qualifications of all those who might reasonably hope to be promoted are carefully considered by the head of the Department, and among those qualifications length of service would undoubtedly be regarded. On the other hand, not only is there no rule that promotion should be by seniority, but the principle has been laid down by successive Commissions that promotion in the upper branches should be regulated either by positive merit or special official aptitude, and not by seniority, and the Department has always proceeded upon that principle.

TUNIS AND TRIPOLI.—QUESTION.

General Sir GEORGE BALFOUR asked the Under Secretary of State for Foreign Affairs, to explain whether there are any grounds for the rumours about changes in the Mohammedan territories of Tunis and Tripoli, as respects their transfer to Italy and France?

Mr. BOURKE: No, Sir; we have not heard anything on the subject.

TURKEY — REPORTED CONSPIRACY AGAINST THE SULTAN.—QUESTION.

Mr. HAYTER asked Mr. Chancellor of the Exchequer, Whether he has any information to communicate to the House respecting the reported conspiracy against the Sultan at Stamboul?

The CHANCELLOR of the EXCHEQUER: I have seen the report to which the hon. and gallant Gentleman refers; but I believe no information or communication has been received at the Foreign Office on the subject.

DRAINAGE BOARD (IRELAND) — THE RIVER MULCAIR.—QUESTION.

Mr. A. MOORE asked the Chief Secretary for Ireland, Whether it is a fact that the new embankments of the River Mulcair have recently given way, thereby causing damage and loss to the people of the district; whether these works have been finally passed by the engineers of the Board of Works; and, whether, in view of the great expense incurred and the heavy liability undertaken by the district, he will cause an inquiry to be made as to whether the river has been sufficiently deepened and the other works efficiently carried out?

MR. J. LOWTHER: Sir, I have to answer the first two parts of the Question of the hon. Gentleman in the affirmative, though I am glad to be able to add that the Report of the engineer shows that the rumour as to the damage caused has been exaggerated. As to the last part of the Question, the hon. Gentleman is probably aware that the Drainage Improvement (Ireland) Act, 1864, is carried out by the local drainage board on their own reponsibility, subject to the supervision of the Board of Works. In this case due inquiry was held, and the engineer of the Board reports that the unprecedented flood caused damage; but I have referred the matter back for an expression of his opinion as to the other points which the hon. Gentleman refers to.

SPAIN—FISCAL LEGISLATION—DUTIES ON BRITISH GOODS.—QUESTION.

MR. RATHBONE asked the Under Secretary of State for Foreign Affairs, What steps Her Majesty's Government are taking to impress upon the Spanish Government the injustice and inexpediency of their present and proposed fiscal legislation, aimed specially at the commerce of England?

MR. BOURKE: Sir, I have to state that Her Majesty's Government have repeatedly remonstrated with the Spanish Government on the injustice and inexpediency of levying fiscal duties on British goods. The last remonstrance on the subject was in May last. Another despatch has been prepared within the last few days, and will be submitted to Lord Salisbury this week. Her Majesty's Government are naturally anxious that the public should be made aware that remonstrances have been made, from time to time, with the Spanish Government. I hope to be able to lay Papers on the subject on the Table of the House in a few days, which will show the hon. Member that Her Majesty's Government have remonstrated with the Spanish Government in a forcible manner upon the course they have adopted.

THE EASTERN QUESTION—THE TREATY OF BERLIN.—QUESTION.

MR. OTWAY wished to ask the Under Secretary of State for Foreign Affairs a Question. He understood that the Treaty of Berlin had been laid upon the Table of the House, but he had not seen it, and did not know whether it had been circulated. He wished to ask the hon. Gentleman, When they would have an opportunity of seeing the Protocols?

MR. BOURKE: Sir, I need not point out that the Protocols are very lengthy, covering many hundred pages. They will be ready, I hope, on Thursday. Therefore, the House will see that they are being got on with with as much rapidity as possible. The translations are very heavy. There are one or two other despatches and other documents that the Secretary of State for Foreign Affairs will probably wish to add to the Protocols, and, therefore, that series of the Papers I hope to lay on the Table of the House on Friday, and I have no doubt whatever that they will be in the hands of hon. Members on Monday next.

ORDERS OF THE DAY.

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CONTAGIOUS DISEASES (ANIMALS) [SALARIES, COMPENSATIONS, &c.] COMMITTEE.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."—(*Sir Henry Selwin-Ibbetson.*)

MR. DILLWYN referred to the question of compensation under the Bill, and appealed to the Government to state what were the terms of the Resolution they intended to propose in Committee with reference to the subject. It was most important as affecting many people who were interested in the trade; and if he did not receive a satisfactory reply, he should oppose the Motion to go into Committee.

SIR HENRY SELWIN-IBBETSON said, that the Government must have some power in the matter, and in Committee they would be prepared to submit a Resolution with regard to compensation which then could be discussed. Its form would be that ordinarily used in Bills of this nature, requiring the preliminary decision of the House for the payment of money out of the public Revenue. Of course, the scope of the Resolution would depend upon the conclusions to which the Committee would come, and would be limited and extended in accordance with the decisions at which they would arrive.

Sir CHARLES W. DILKE said, that by the Rule of the House no private Member could lay a money charge on the public in Committee on a Bill. It might become necessary in this instance for private Members to propose compensation clauses; and he wished to know whether the Resolution to be proposed by the Government would be sufficiently wide to enable them to do so? The Government Bill of 1868 contained no compensation clauses, but one was inserted in Committee; and the House wanted to know now, whether it would be in the power of private Members to propose such a clause in this Bill?

Mr. J. COWEN rose to support the suggestion of his hon. Friend the Member for Chelsea (Sir Charles W. Dilke), that a clear understanding should be arrived at on the subject. It should be remembered that by the Bill the owners of cattle would be compensated in a two-fold manner, not only for the cattle which would be slain, but also in the enhanced prices they would receive. The public would have to pay for this, and the corporations of several large boroughs would suffer serious losses. Therefore, if the principle of compensation were allowed, he contended that municipal corporations, which had gone to great expense, such as Newcastle-on-Tyne, in providing a live meat market, and all the necessary adjuncts, had also a right to substantial compensation. No town would be more seriously prejudiced, should the Bill become law, than the borough which he had the honour to represent, for no market in the country received anything like so large an amount of its meat from abroad as did that town. Taking the year round, one half of the animals brought to Newcastle came from Denmark and the Continent, and some parts of the year a great deal more than one half the entire number. Last week no fewer than 2,060 cattle were shown in Newcastle market, of which number 1,300 came from Denmark and the Continent. For the purposes of this trade, the corporation had spent £20,000 in the improvement of the market, £30,000 in constructing a sanatorium, and had added other facilities. A line of steamboats had been established between the Tyne and Denmark especially for the trade, and these boats would be practically superseded if this Bill were passed. The Bill in its operation, therefore, would inflict great loss on the people of Newcastle by interfering with the trade and enhancing prices. Out of 106,000 cattle shown in Newcastle in three years, not one single beast was diseased. Indeed, the only instance of disease they had had came from another part of the United Kingdom, having been imported from Ireland. He might be told that the trade in dead meat would take the place of that in live stock; but they had already tried the experiment, and it was found to be a conspicuous failure. What they wished to ascertain was, whether, under the Resolution to be proposed, private Members could move that compensation should be provided in the case of corporations suffering loss through the operation of the Bill?

Mr. JACOB BRIGHT said, he had intended to place on the Paper a proposal with regard to the compensation to be given to interests which would be affected by this Bill, and he should like to have some information from the Government as to whether the clause they were about to propose was wide enough to admit of the consideration of this subject. The hon. Member was proceeding to describe the way in which the borough of Salford would be affected by the Bill, when——

Mr. SPEAKER ruled, that on the Motion before the House, the hon. Member would not be in Order in entering upon a general discussion of the compensation clauses contained in the Bill.

Mr. W. E. FORSTER said, he did not rise to support the contention for a claim for compensation, although he admitted that his hon. Friend the Member for Newcastle (Mr. J. Cowen) had made out a very strong *primâ facie* case; but he did support the appeal which had been made to the Government, that they would so frame their clause as that the claims for compensation could be fairly considered when made by boroughs which would, or might be, injured by the operation of the Bill. If they dealt with compensation at all, and it was proved that the effect of the Bill would be injurious to corporations, it was but right that compensation should be given to the value of the harm done. The Resolution ought to set forth every kind of payment and claim for compensation that would arise under the Act. He hoped the Government would explain its terms.

The CHANCELLOR of the EXCHEQUER said, it might be convenient for the House to know what the Government proposal was. It proposed payment out of monies to be voted by Parliament for the expenses of the Veterinary Department in connection with the working of the Bill, and also compensation for the animals slaughtered. It did not, however, provide for compensation for cases of the character that had been shadowed forth by the hon. Member for Newcastle (Mr. J. Cowen). It would be giving an extension to the principle of compensation which he thought the House would not sanction. A question of direct compensation was one only with which the House had been in the habit of dealing, and in the present case the money would be provided by Parliament; but to deal with a question of indirect injury would be exceedingly difficult. As far as the case stated by the hon. Member for Newcastle was concerned, the damage would be purely imaginary, because the market to which he referred would not be affected by the Bill in its present form. It would be impossible, if not dangerous, to enlarge the Resolution in such a way as to admit claims for compensation on account of indirect injuries. In fact, the injury would be too remote to be entertained.

Mr. CHAMBERLAIN thought the matter was one which ought to be fully and fairly discussed; and in reference to the observation of the Chancellor of the Exchequer, that the funds for compensation purposes would be provided by Parliament, urged that they ought to be raised by means of a poll or capitation tax upon every animal imported. In fact, if it had been competent for him to have done so, he had intended to have moved a Resolution to that effect. As far as Birmingham was concerned, he claimed no compensation for loss to the market; but he certainly contended that the borough ought not to be called upon to contribute towards the compensation to be paid to other places by reason of injury to their markets. The evils which would arise under the Bill were by no means imaginary. He felt very strongly on the point, and considered the question should be thoroughly discussed out of Committee. In order to promote that end, he would move the adjournment
the debate.

Mr. RYLANDS seconded the Motio

Motion made, and Question propose
"That the Debate be now adjourned
—(*Mr. Chamberlain.*)

Sir HENRY SELWIN-IBBETSO
said, that the question that had be
raised had never been introduced in
any previous measure dealing with th
particular trade; and hon. Members w
had spoken had failed to show that the
were sufficient grounds for departi
from the principle which had alwa
been followed by Parliament in deali
with questions of the kind. The positi
of Newcastle and Salford cattle mark
with regard to the importation of cat
would be identically the same after
Bill had passed as it was at the pres
moment. Cattle were now allowed
come into Newcastle from Denmark, a
would continue to come freely from th
country under the arrangements wh
the Government proposed. Under th
circumstances, Newcastle was not, a
would not be, prejudiced as to the
portation of cattle into it beyond w
it was prejudiced under the existing
of 1869; and with respect to Manches
he thought it was in no way depend
on the cattle that would be restric
under the Bill. At present the Pr
Council possessed the power of exclud
cattle from any country in which dise
existed; and that was ordered to
done in this Bill. As he had be
stated, he did not believe there wa
the House a single Representative of
large towns who would stand up and
them that the town he represented
dependent for its food supply upon
cattle coming from the countries s
duled in the Bill. He admitted
some of those towns might have ra
a claim, if the Bill had been allowe
remain in the form in which it had
introduced into Parliament; but s
the Amendment which Government
posed, such a claim could not be set
It had been distinctly shown before
Committee that cattle were never
from the countries in question to
large manufacturing towns. The
kets throughout the towns, there
which were said to be prejudiced u
the Bill, would not, he believed, be
judiced in the least. If such a que
as this had been raised when his

hon. Friend opposite (Mr. W. E. Forster) was in Office, he doubted very much whether his right hon. Friend would have admitted for a single moment a claim of this sort on behalf of any town. The proposal now made on the other side of the House raised distinctly new questions, which were in no way affected by the Bill; and he urged that the House would act wisely by adhering to the form of the Resolution which was customary in all legislation on this subject, and from which there seemed to be no valid reason to depart. The object of the Resolution was to levy a compensation for those who submitted to a loss for the public good, and also to justify the salaries of the staff officers appointed to carry it out.

Mr. W. E. FORSTER said, he did not propose to follow the hon. Gentleman opposite (Sir Henry Selwin-Ibbetson) into the merits or demerits of the Bill. The question was simply this—whether the claims of public bodies to compensation would or would not be prejudiced by the form of the Resolution which the Government had submitted to the House? His hon. Friend had expressed his opinion, that if any such claim for compensation as had been mentioned had been made at the time when he (Mr. W. E. Forster) was in Office, he would not have listened to it for a moment. He must state, in reply to his hon. Friend's remark, that in the Act of 1859, he not only thought it his duty to consider, but actually granted compensation, and compensation with regard to a market. The market of London was supposed to be affected by the measure prejudicially, with regard to its removal from what was an excellent site to a very bad one, and in that respect the Act gave very substantial compensation indeed, as it allowed considerable dues to be charged. He did not say the present case was precisely similar to that; but it was similar in principle. The least that the Government could now do was to allow the advocates of the interests concerned to be heard. That was all they asked for.

Mr. J. COWEN said, that his contention had been that a considerable quantity of cattle imported into Newcastle from Denmark were never shown in the market of that town, but were forwarded to the manufacturing towns of Lancashire and Yorkshire. About 5,000 head went to Manchester every year, and between 4,000 and 5,000 head more were sent into the manufacturing districts of the counties he had named.

Sir HENRY SELWIN-IBBETSON said, with regard to Newcastle that it would not be affected by the Bill, because cattle would still come to that town from Denmark.

Mr. NEWDEGATE said, he could not understand why the hon. Member for Birmingham (Mr. Chamberlain) should urge this claim, because the town he represented had provided no special accommodation for cattle; whereas, in the case of Salford, a cattle market had been provided; though how it was to be proved that it was for imported cattle only, he (Mr. Newdegate) had never yet heard and did not understand. In speaking against the Bill the hon. Member said that a magnificent range of buildings had been erected by the corporation of Salford for the slaughter of cattle, and that there was also a market; and the hon. Gentleman seemed to assume that those buildings were erected exclusively for foreign cattle. Now, Birmingham was the centre, or nearly the centre, of England; but he would remind the hon. Member that, though that was so and it was a large town, it was not the centre of the world. Moreover, he could undertake to assure the hon. Member that his agricultural neighbours, who frequently exhibited their cattle in a well-known hall they had built for themselves at Birmingham, were quite able to supply the wants of that town, and that the metropolis of the Midland Counties, which stood in the very heart of a rich agricultural district, was not likely to be starved, even if foreign cattle did not come in. It seemed to him (Mr. Newdegate) that hon. Members had taken up this question and regarded it solely as an importer's question, as a mere matter of trade, and as though the agricultural interest and its Representatives were so selfish that by the Bill they were seeking, without reference to the wants of the population, some exclusive personal gain; and that in the erroneous belief that some personal gain was to be granted by the Bill, this new claim for compensation for cattle markets was put forward. If any buildings had been erected in any town like Salford, and it could be proved that they were erected with the exclusive object of accommodating foreign cattle, forming some 10 per cent at most of the whole consumption of the country, and not with a view to the slaughtering or disposal of English cattle, then he would admit that the claim for compensation was valid. If it could not be proved, however, that premises had been built for the accommodation exclusively of foreign cattle, and slaughter-houses for the exclusive slaughter of those cattle, thus standing in the position of bonded warehouses, he saw no ground for compensation.

MR. CHAMBERLAIN said, the hon. Member for North Warwickshire (Mr. Newdegate) had misunderstood and, unintentionally no doubt, misrepresented him. He (Mr. Chamberlain) stated expressly that he could not establish, nor did he make, any claim on behalf of Birmingham for compensation. All he did say was, that Birmingham should be relieved from making compensation to others in respect of losses on transactions which they had nothing to do with.

MR. MUNTZ contended that the argument of the hon. Member for North Warwickshire (Mr. Newdegate) was in favour of the demand made by the hon. Member for Newcastle-on-Tyne (Mr. J. Cowen) for compensation to his constituents. He would like to know why compensation was to be given only to persons who lost cattle? Those who lost property, whether in regard to markets or to cattle, should be fairly compensated. If cattle were not allowed to be imported from abroad, a supply would have to be drawn from the interior to the seaports, and the effect of that, he feared, would be to increase the price of meat.

MR. CLARE READ said, that the question opened up matters for serious consideration. There had been several instances where, for the public good, private interests had suffered; for instance, he was not aware that when Smithfield Market was removed to Islington the House was asked to compensate the butchers and salesmen on account of the transfer of the market from a very bad site to a good one. The right hon. Member for Bradford (Mr. W. E. Forster) said that some kind of compensation was given to the Corporation of London on their having provided a market at Deptford for foreign stock; but that Corporation did not ask Parliament for money, but increased their tolls on stock, and the farmers had paid those tolls. How Newcastle could possibly be injured by that Bill he was at a loss to conceive, possessing, as it did, such an admirable cattle market, with all the conveniences necessary for the reception of cattle. Stock would continue to be imported from Denmark into Newcastle, and it would go from the wharf or the market to the manufacturing districts. He did not, therefore, see how the hon. Member for Newcastle could make out a case for compensation for that town; for of all the markets throughout the country, the market of that town would suffer least.

MR. MUNDELLA said, that the Corporation of Southampton and the Southampton Dock Company complained that they would be seriously damnified by the passing of that Bill, because it would deprive them of trade; and all that was now asked was that the proposed Resolution should not be adopted in a form which would preclude the consideration of their claim for compensation. There was no wish to prejudge the question, or to affirm that compensation ought necessarily to be granted in any particular instance. All that was desired was that an opportunity should be given to those Bodies to prove their claim, if they were able to do so; and he hoped the opposition would be continued until the Resolution was made wide enough to admit of the question being discussed.

MR. GORST said, the question appeared to be what form the Resolution should take. He held that every borough should be afforded an opportunity of fairly stating its case; and he earnestly urged the Government to frame the Resolution in terms sufficiently wide to effect that object. He should not vote for the adjournment; but as the Representative of a large borough himself, he recommended that the boroughs should be tenderly and generously dealt with, as there was a very strong feeling prevalent among them that the Bill would increase the price of meat.

Question put.

The House *divided*:—Ayes 109; Noes 205: Majority 96.—(Div. List, No. 214.)

Question again proposed, "That Mr. Speaker do now leave the Chair."

Mr. MUNDELLA said, that the hon. and learned Member for Chatham (Mr. Gorst) had stated the exact issue, which was whether the Resolution providing for the payment of compensation should admit other claims and other modes of meeting them than those that were shadowed forth in the Motion of which Notice had been given by the Government. It appeared hard to judge of such claims without having first heard them; and he knew that his hon. Friend the Member for Newcastle (Mr. J. Cowen) had a claim which he would not make unless he believed he had right on his side. All they asked of the Government was that they should not shut them up within the narrow confines proposed. They wished to be able to propose other claims and other modes of meeting them; and in order that the House might have the opportunity of discussing the questions, which it could not have under the Resolution of the Government, he would move the following Resolution:—

"That no Resolution will be satisfactory which does not admit of the consideration of the claims for compensation which may be preferred by other persons and bodies than the owners of cattle, and of providing other means for paying such claims than out of the local rates or the Consolidated Fund."

Mr. SPEAKER: The terms of this Resolution of the hon. Member will require amendment. It would be more regular that the words "or the Consolidated Fund" should be omitted, and the words "monies to be provided by Parliament" inserted instead.

Mr. MUNDELLA said, he would, with the leave of the House, withdraw the Motion, and move it in its amended form.

Amendment *amended,* and proposed accordingly.

Mr. BELL, in seconding the Amendment, observed that the town of Newcastle had spent £45,000 in preparing for the reception of live cattle, upon slaughter-houses, and upon the cattle market there.

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "no Resolution will be satisfactory which does not admit of the consideration of the claims for compensation which may be preferred by other persons and bodies than the owners of cattle, and of providing other means of paying such claims than out of the local rates and moneys to be provided by Parliament,"—(*Mr. Mundella,*) —instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

Mr. MUNTZ said, he was sorry to see that the Government was, apparently, determined to take no notice of the protests which were made. Here was a Bill which proposed very heavy compensation for a certain class; and he could not see why people who suffered in another direction for the public good should not be compensated also. Suppose that a horse had glanders, and his owner was obliged to shoot him. Glanders was a dangerous disease, and the horse was killed for the public welfare. Would not the owner like to have compensation? He thought the claims as to the markets should be inquired into, and, if found just, they should be met.

Sir HENRY SELWIN-IBBETSON said, that he could assure the hon. Member and the House that the Government had no desire to evade this question, or to do otherwise than to give a candid opinion upon the points raised. All they said was—"Was this a question which ought to be included in this Resolution? In past years, had compensation of this kind been included in Resolutions relating to this particular subject?" It was stated that there was an exception in the case of the Cattle Market at Deptford; but he thought the right hon. Gentleman opposite (Mr. W. E. Forster) would recollect some of the reasons which led to an exception being made with regard to that particular market. There was a great desire to establish that waterside market in the Metropolis; and this clause, to which reference had been made, was put in to induce the City to undertake the task, which it was unwilling to undertake, of becoming the market authority. That was the reason why the clause was introduced, and it was carried out. But to carry out the present proposal would be to greatly extend the principle, and where would they stop? He thought, therefore, much consideration was necessary. The present law said that when an individual interest was sacrificed for the public benefit, remuneration should be given. That remuneration was now very largely given for information of outbreaks of disease; and it had always been felt that unless some inducement were held out to people to disclose intelligence as to disease in their flocks and herds, they could not thoroughly grapple with the evil. That was one of the arguments adduced in favour of the system at the time disease ravaged the country, when cattle were slaughtered by order of the Privy Council. If hon. Members objected to this compensation being given to farmers alone, and thought that no benefit arose to the public from the information they received, it was perfectly clear that they could either eliminate those clauses from the Bill, or else alter or enlarge them in Committee. In conclusion, he would say he saw no reason whatever for the establishment of such a provision. There was no precedent for the step, and it was out of place in a Contagious Diseases (Animals) Bill which was undertaken in the interests of the public. He ventured to think it would be a very dangerous principle to set up the power of any interest to come forward and claim compensation under a Bill dealing with the stamping out of disease in the general interest of the country.

SIR CHARLES W. DILKE said, he was astonished to hear it stated that there was no precedent. He could quote a precedent to the hon. Baronet from a clause in a Government Bill passed in 1868. The effect of the clause was to give compensation in respect of buildings constructed for the carrying on of the foreign cattle trade, or in respect of injury sustained through the operation of the Act. That was a precedent which they asked might now be followed. They did not say that compensation should be given; all they asked was that they should be at liberty to make proposals and have them fairly considered.

MR. W. E. FORSTER said, the hon. Baronet opposite (Sir Henry Selwin-Ibbetson) began by stating that Her Majesty's Government had no wish to prevent the consideration of these claims; but, further on, he stated that they must adhere to the resolution they had formed. The sole question was, whether claims for compensation, such as those referred to, should be allowed to be considered; and he (Mr. Forster) asked the Government whether it was worth while to begin a lengthened deliberation on this subject at the present moment? It was true that the Government had expressed its opinion that compensation ought not to be given; but if the hon. Baronet, in directing his attention to the matter, would look at the Act of 1859, he would see that it was similar in principle, and that it applied quite as much to the Bill now brought in by the Government as it did to the Act of 1868. By that Act compensation was given to the City of London upon the same principle that it was now asked for. The hon. Baronet referred to that clause as though it were in the nature of a bribe to the City of London; but he (Mr. Forster) altogether denied that it could be so considered. In the case of the City of London, it appeared that its interests were injured, or they were thought to be so. The Corporation of London had spent a large sum of money in the enlargement of the cattle market; but it was thought to be in the interest of the country that another market should be provided, and that they should be compensated. Therefore, power was given to them to increase their tolls for the use of the market. That was perfectly right, for it would not have been just to have imposed an additional burden upon the City without giving it some compensation. The Government, as he understood, now considered that it would be for the interest of the public that a measure should be passed which would have the effect of injuring the market of Newcastle. Possibly that might not be the effect of the Bill; but the people of Newcastle thought differently, and asked leave to prove their statement. In his opinion, that was a very reasonable thing to allow. He would ask leave to read to the House, as relevant to the subject, a portion of a Petition from the London and South-Western Railway Company. He did not mean to say that their allegations were true; all he contended was that sufficient was stated *primâ facie* to entitle the Company to be heard. The Petition related to the town of Southampton; and the Petitioners said that if the Bill for the compulsory slaughter of cattle received the assent of that honourable House and passed into law, the expenditure they had incurred by direction of the Privy Council, in providing accommodation for live cattle—consisting of buildings, docks, ships, and cattle trucks—would be rendered useless. They, therefore, submitted that it would be right and just that fair and adequate compensation should be granted to them for the loss of trade and expenditure. The hon. Baronet would, no doubt, meet that, in the first place, by denying that their trade had been injured; and, in the second place, by saying that, even if it had, they had no right to compensation. That might be so; but those were questions which the House ought to be allowed to consider. He had understood it to be a necessary part of the hon. Gentleman's argument, during the progress of the Bill, that compulsory slaughter would not injure the trade; but he, and those who acted with him, thought it would. But that was not the time to debate that question; and all that was now asked was that such a reasonable clause should be put in the Bill as would not exclude these interests from being heard. He was much surprised that the Government, who wished to carry the Bill through as soon as possible, had not at once acceded to the demand.

THE CHANCELLOR OF THE EXCHEQUER said, the House ought to bear in mind the distinction, for it was a perfectly clear one, between the compensation which had been given to the City of London in respect to Deptford Market and the proposal now made by the hon. Member for Newcastle (Mr. J. Cowen) and other hon. Members. In that case the Government of the day, desiring to introduce a measure, and having taken fully into consideration all the circumstances of the case, thought it right to propose that a certain interest affected by the measure should be compensated, and they took the necessary steps for that purpose. On the present occasion, if the Government thought it right that other interests than those mentioned in the Rosolution should be compensated, undoubtedly it would be their duty to make a similar proposal; but, as at present advised, they did not think it necessary or desirable to do so. The right hon. Gentleman the Member for Bradford (Mr. Forster) said, that although the Government did not think it right to make such a proposal, yet that they should take steps to make their Resolution sufficiently wide so as to enable independent Members to make proposals on their own account. The Government did not take that view. It was for them to take the initiative, and they could only do so in the case of claims which they considered reasonable, not in cases which they in their consciences did not think required compensation. If they were to assent to the principle proposed, they would actually be inviting claims from all quarters. It was not in the power of the Government to enlarge the scope of the Resolution; but if, after a discussion of the clauses of the Bill, and after it had been—as it probably would be—amended, it was seen that there were interests which were, or might be, affected by the Bill in the shape in which it might pass, it would be perfectly possible at a later stage to re-consider the matter; and he was not prepared to say that it might not be reasonable to give an opportunity for a consideration of such cases. He hoped the House, upon that understanding, would now be prepared to go into Committee.

MR. CHAMBERLAIN said, that those who supported the Amendment certainly did not suppose that the Government had any desire to prevent full and fair discussion of the matter; but how was the House to have that full and fair discussion, unless they could in Committee raise the points which it was desired to discuss. In the case of the Metropolitan Foreign Cattle Market Bill, the Government did not introduce the compensation clause; but that it was introduced in Committee only after application, and a hearing of parties through counsel and witnesses. The claims of places like Salford and Newcastle ought similarly to be considered, and he urged the Government to agree to the consideration of the matter in Committee. By conceding what was now asked, the Chancellor of the Exchequer would gain, at all events, in facilitating the progress of the Bill. The right hon. Gentleman had not, in any way, referred to the second point raised by the Amendment—namely, whether compensation might not come from some other source than the taxes of the United Kingdom. The right hon. Gentleman had concluded his observations by stating that if, in the course of the discussion of the clauses of the Bill, it appeared that certain interests would be injuriously affected by the Bill, it would be reasonable that they should be considered. But how could it appear, and for this reason—that hon. Members would not be at liberty to bring forward and discuss such cases? It would surely be expedient and desirable that the whole discussion should be taken, once for all, on definite proposals made in Committee of the Whole House. He (Mr. Chamberlain) was deeply interested in that question; and he wished to propose that, instead of the compensation being borne by the general taxation of the country, it should be provided out of a fund in the nature of a mutual insurance fund, contributed by those who would benefit by the protection which this legislation would give. He did not know how he could raise that subject, except with such an extension of the submission to the Committee as was now proposed. He should feel himself, and he thought other hon. Members would be, justified in opposing by all the Forms of the House further progress with the Bill, unless the Government would give an opportunity of taking a discussion upon it, at the proper time and in the proper way.

MR. SYNAN opposed the Motion of the hon. Member for Sheffield (Mr. Mundella), as he looked upon it as simply a Motion in favour of consequential damages. And he begged to ask where was such a claim to stop? He contended that the precedent which had been quoted by the hon. Baronet the Member for Chelsea (Sir Charles W. Dilke) and the right hon. Gentleman the Member for Bradford (Mr. W. E. Forster) had no application to the case; between it and them there existed a very clear distinction, for the compensation given in those cases was in respect of a direct interference. When a particular market was put an end to, and a new market created, there was a direct disturbance, and the people disturbed had a right to be compensated. That, however, was not the present case. There was no necessity for the Motion before the House; inasmuch as hon. Members would have the opportunity of voting upon the Resolution of the Government, and negativing it if they had the power.

MR. BIGGAR, in supporting the Motion, said, that as the Bill now stood there was a most unfair interference by the Government with the Prerogative of Parliament in declining to allow the House to discuss whether this compensation should be given or not. Either the House must submit to the dictum of the Government, or else throw out the Bill.

SIR ANDREW LUSK wished to explain what had been said about the compensation that had been granted to the City of London eight or ten years ago, as he denied entirely it had received any compensation in the matter. The City of London had erected a market at Copenhagen Fields, on which they had spent £500,000. The Government wished the City to make a market at Deptford; the Corporation said they did not require another market, they lost so much by the last. But the Government offered, if they made the market at Deptford, to give them power to increase the tolls. That was the so-called compensation.

MR. J. COWEN said, that he entirely adopted the principle which had been laid down, that compensation was unfair and unwise. But what he did say was that, if it were to be allowed in some cases, it should be conceded in the present. All that was asked for was equality in its distribution. It had been stated that the Corporation of London obtained compensation, or, what was the same thing, were allowed to charge additional rates in consequence of the Government insisting that a particular market should be removed and certain charges made. That was an exactly similiar case to that of the market and sanatorium at Newcastle. The Government had compelled the Corporation to spend a large sum to provide for the importation of foreign cattle, and £32,000 was accordingly spent on the sanatorium at the express and explicit order and command of the Privy Council. If, therefore, the Government destroyed the utility of that expenditure, or prevented the building being used for the purpose for which it was designed, it was only fair that the municipality should be repaid the money it had laid out. It was as clear and distinct a case for compensation as that of the Corporation of London. He might go into the facts at more length and elaborate his statement;

but that was not his object on the present occasion. All that Newcastle now asked was to be given the opportunity, by the Resolution now before the House, of stating its case at the proper time, and not to be precluded—as, in common with other places, it would be by the course proposed to be taken by the Government—from getting its case heard. Compensation he did not ask for—it might be that good reasons could be shown against awarding it; but no reasonable man could object to the demand of Newcastle for compensation being heard. "Strike, but hear." He was much astonished that the Government objected to the proposal. He was sure they would have advanced the progress of the Bill more by making the concession than by resisting it.

Mr. ANDERSON contended that the City of London, to which compensation had formerly been granted, had less claim and need for it than other towns that had been specified. One question was whether compensation should be granted, and the next would be how it should be raised; and some contended that the compensation to farmers ought to be met by a tax upon cattle, and not drawn from the Imperial funds. Such a tax might be considered in the light of an insurance fund. At any rate, these questions should be discussed, and the present Motion was merely to prevent the exclusion of such discussion when the House got into Committee.

Question put.

The House *divided*:—Ayes 196; Noes 126: Majority 70.—(Div. List, No. 215.)

Main Question proposed, "That Mr. Speaker do now leave the Chair."

Dr. LUSH said, that as he understood, the Government declined to grant the request made that this question of compensation should be considered in Committee. Under these circumstances, as the principle was one which, on the Liberal side of the House, was considered to be of the first degree of importance, and as he thought the House ought to have another and better opportunity of discussing the question, he should do all he could to aid his Friends in the matter, and he should, therefore, move the adjournment of the House.

Mr. COURTNEY said, it appeared to him that the conduct of the Government was unprecedented in not allowing the question to be discussed in Committee. There could be no doubt that those who made claims should have a fair hearing, and therefore he would second the Motion.

Motion made, and Question proposed, "That this House do now adjourn."—(*Dr. Lush.*)

Mr. GORST said, he could not support the Motion; but he thought that the time had arrived when the Government might gracefully concede the request which had been made to them. He had listened to the speech of the Chancellor of the Exchequer; and the only argument put forth against the Amendment was that the Government might be supposed, if they agreed to it, to give some encouragement to claims being made by some Corporations for compensation; but the division just taken upon the question would clearly exonerate the Government from that charge. He would urge the Government to act as he suggested, in the interest of the progress of the measure and in the interests of those boroughs who thought themselves aggrieved.

Mr. W. E. FORSTER would not add anything to the powerful argument of the hon. and learned Member for Chatham (Mr. Gorst). His hon. Friend near him (Mr. J. Cowen) said that certain Corporations—public bodies—would suffer an injury by the passing of the Bill in its present state, and they asked to be allowed to discuss the question of compensation. There was no analogy between the case of Newcastle and the City of London, as the latter had a monopoly of every market within seven miles, and that was considered to be a reason why the Corporation should submit to new regulations. The question now raised was an important one—whether the compensation should be paid out of the local rates or out of the public money? and they ought to be allowed to discuss it in Committee, instead of postponing it to a time when hon. Members were about to go into the country. The Government could not mean to say that the House was to be debarred from considering the question of compensation.

Mr. DILLWYN contended that this was the proper time for raising and discussing the question, and that it could not be properly considered at a future stage of the Bill, and perhaps within a few days of the end of the Session.

MR. CHARLEY, as the Representative of a large and populous borough, would add his request to that of the hon. and learned Member for Chatham (Mr. Gorst). The Government should remember that all their supporters were not Members for counties, but that many sat for boroughs, and as some boroughs had erected cattle markets at an enormous expense, which might be injured, it would be only fair that an opportunity should be afforded of discussing the question in Committee.

MR. WATKIN WILLIAMS said, that it had been whispered on the other side of the House—"What is the use of having a majority, if we do not exercise our power?" But he might ask, what was the duty of a minority, if not to protect its rights? The matter under consideration was an important one, involving, as it did, a question of political economy. The question was, whether they were to be permitted to discuss a point of the greatest importance in the national economy. This was a more important and serious matter than the Government seemed to appreciate. He would remind the House that the argument of Mr. John Stuart Mill on the 14th February, 1866, had never been answered. That argument was to the effect that—

> "In whatever proportion the supply of cattle was diminished, in that proportion the price would be enhanced; and, therefore, in the end, the whole burden of the loss would be borne, not by the producer, but the consumer."—[3 *Hansard*, clxxxi. 490.]

He appealed to the Government not to exclude that question from discussion, and urged upon them the advisability of making some concession. Otherwise he was willing to incur the odium of a defeat by a large majority, because the concession was asked only as that which was just and right.

THE CHANCELLOR OF THE EXCHEQUER said, that the position of the Government with regard to the form of an important Bill like the present was pretty clear. It was their duty, in bringing forward a measure of the kind, to place before the House and to invite Parliament to consider a scheme properly prepared, and for which the Government were responsible. It would, of course, be competent for any Member to discuss any point of that scheme in Committee, and he apprehended that the hon. and learned Member who had just spoken (Mr. Watkin Williams) would be perfectly at liberty in discussing the clauses of the Bill to bring forward, on Clause 15, the clause which provided for compensation arguments of the character he had just indicated; but it would not be consistent with the position of the Government to invite the House to go loosely into a discussion of this sort, on an Amendment which was, in fact, in the nature of an invitation to everybody to come forward with plans and proposals to be carried out. It would be impossible to get through the Business in this way. When the Government proposed that compensation should be given out of monies provided by Parliament, of course, that was a proposal which was open to examination; and which, no doubt, would receive examination in Committee. Some would contend that no compensation ought to be paid at all; others, that though compensation should be paid, this was not the way to pay it. Those were points which it was no doubt proper to discuss, and if the House refused to sanction the plans of the Government, it would then be a question what other plan ought to be adopted. But he altogether distrusted the propriety of making alterations in the Resolution; because, if the proposition of the hon. Member for Sheffield (Mr. Mundella) were adopted, it would be in the nature of an Instruction to the Committee to go about and search for cases in which compensation should be made.

SIR WILLIAM HARCOURT complained that the words of the Resolution were not before the House. Its effect, however, appeared to be to limit the powers of the House in reference to taxation; and it depended upon the nature of that Resolution what should be the nature of the Amendments which could be proposed in Committee. The House wanted to know, and he himself wished to know—First, whether it would be competent, under the Resolution, to substitute "local rates" for "monies provided by Parliament?" [The CHANCELLOR of the EXCHEQUER: Yes.] Secondly, whether an Amendment could be proposed in Committee, to the effect that compensation should be granted for loss of markets? [The CHANCELLOR of the EXCHEQUER: No.] Well, that restriction upon the liberty of hon. Members appeared to him grossly unfair. As the matter stood, the effect of the Resolution appeared to be to take away from the House in Committee the power of even discussing the Amendment. All that was asked, on the other hand, was that the Resolution should not "crib, cabin, and confine" the Committee, so that they should not take into their consideration what they considered a fair topic for discussion. If that point was not conceded, hon. Members were perfectly justified in opposing the Motion for going into Committee on the measure.

MR. MUNDELLA urged that hon. Members should insist on their point by all the Forms of the House, until the Government gave some satisfaction as to the discussion of the question. He entirely agreed with the remarks of the late Mr. J. Stuart Mill; and what he desired was, that we should not be compelled to pay twice over—by an advance in the price of meat, and next by compensation.

MR. CHAMBERLAIN did not wish to refer to the case of boroughs, excepting to say that when these claims came up for consideration, he should be obliged to vote against them; but, at the same time, he thought it was very unfair to resist the demand for the fullest discussion. The Chancellor of the Exchequer had admitted that the question which he (Mr. Chamberlain) desired to raise was one of importance, and one which should be discussed. Why refuse the opportunity for discussion of a formal Amendment? If it was the duty of the Government to present a scheme to the House, he maintained that it was equally the duty of the House to criticize and amend it. It was impossible that the Resolution could be amended, unless the Government afforded the means of doing so by widening the scope of the Reference to the Committee. The point was one which excited a great deal of interest in the boroughs, for it was felt that the operation of the Bill would be to raise everywhere the price of meat.

MR. ANDERSON complained that the Government had put forward a Resolution which would have the effect of tying the hands of the House against proposing Amendments in Committee, and urged the necessity of the House being in possession of the actual words of the Resolution before being asked to come to a decision upon it. The Resolution should be printed, so that the House might clearly understand what was its real bearing, which it was impossible to do from their having merely once heard it read.

MR. GOLDNEY supported the course taken by the Government. He thought there was no use in hearing claims which the Government were determined not to concede.

THE MARQUESS OF HARTINGTON thought it was perfectly incomprehensible why the Government should persist in throwing obstacles in the way of passing the Bill. It could not tend to the rapid progress of the measure that the Government should deliberately inform the House, before going into Committee, that there were certain subjects which they acknowledged might properly be raised on the measure; but which could not be raised in the form of a substantive Amendment upon the Resolution before the House. He did not now express any opinion as to the merits of the different proposals which had been referred to in the discussion; but, so far as he had heard them, the claims of localities did not appear to be such as to enlist the sympathy of a majority on either side of the House. Still, it appeared to him that it was unreasonable to announce beforehand that the Government intended to exclude the question from consideration in Committee. The only desire on his side of the House was that the Resolution should be drawn in sufficiently wide terms to admit of discussion upon any point which might fairly be raised for consideration in Committee. If the Government would give themselves time for consideration, they would see that the demand now made was perfectly reasonable, and if they could make that concession it would tend to facilitate the progress of the Bill. The Resolution was one which might be taken up at any stage during the progress of the Bill in Committee, and it was not necessary that it should be dealt with before going into Committee. Let the Government take time to consider. They would not reach the compensation clauses to-night. Meanwhile, a new form of the Resolution might be brought up, which would save the time of the House, and, perhaps, a good deal of temper.

MR. LEEMAN strongly objected to the course which the Government insisted upon of excluding the question from discussion in Committee, and would urge upon the Government to adopt the suggestion which had just fallen from the noble Lord.

MR. NEWDEGATE said, the Government did not wish to invite claims for compensation which they had not thought fit themselves to impose until proof was afforded of the justice of claims they might have overlooked. The onus of proving that the claims for compensation were just lay upon those who put them forward, and at a later stage of the Bill an opportunity would be afforded them for moving a Resolution on the subject.

MR. RYLANDS said, that the hon. Member who had just spoken (Mr. Newdegate), and the hon. Member for Chippenham (Mr. Goldney) had misapprehended the proposition before the House. What he and others complained of was that by the course taken by the Government, the towns would be deprived of the opportunity of stating their case before the Committee.

SIR FREDERICK PERKINS remarked, that if the Resolution was passed, the consequence would be to shut out Southampton from any compensation for the large amount they had expended in providing accommodation for foreign cattle. He thought Southampton was as much entitled to receive compensation for that outlay as the farmer for his losses that were caused by the compulsory slaughter clauses.

MR. GILES thought they were discussing a question which would never arise, the Government having consented so to modify the slaughtering clauses that all foreign cattle from healthy countries would be upon an equal footing.

SIR CHARLES W. DILKE doubted whether the hon. Member for Southampton (Mr. Giles) represented the best interests of his constituents, considering the immense lairs that had been erected at Southampton for the Normandy and Brittany cattle, and that those cattle would be distinctly kept out by the Bill.

MR. GILES reminded the hon. Baronet the Member for Chelsea (Sir Charles W. Dilke) that the accommodation for cattle at Southampton was provided at the cost of the Dock Company, and not by the municipal authorities, and that it was not intended for French cattle only, but for the general foreign cattle trade.

MR. BIGGAR thought the Government were not acting fairly towards the public in refusing to allow the various important questions involved in this matter to be fully discussed in Committee. The proposal to put the boroughs to a great loss of outlay only intensified his objections to the Bill.

SIR HENRY SELWIN-IBBETSON said, that the Resolution submitted to the House was in the ordinary form of such Resolutions, and was drawn according to the interpretation of the clauses with the view of carrying them out. He saw no reason why the ordinary rule should be departed from on the present occasion. The Chancellor of the Exchequer had stated that these questions could be raised when they came to consider the compensation clauses, when it would be competent for the House to negative the proposal of the Government in favour of that suggested by the hon. Member for Birmingham (Mr. Chamberlain), or any other plan that might be put forward. In such case, it would be for the Government to bring up a fresh Resolution in order to cover the new proposition that had obtained the assent of the House.

MR. ARTHUR PEEL asked, if it would be competent in Committee for any hon. Member to propose that the monies intended to be raised for compensation out of the local rates should be provided out of the public funds?

SIR HENRY SELWIN-IBBETSON: Yes.

MR. J. COWEN said, he could not understand why the Government should refuse to hon. Members the power of moving a Resolution specifically and distinctly raising the question the hon. Member wished to have discussed and taking a vote upon it. He knew they had the power to discuss it, but they wanted something more. Knowing that they had a great majority at their back, he was surprised that they should persist in refusing the privilege; and he believed that by the course they had taken they were delaying, instead of forwarding, the progress of the measure. He could not admit that the Government had made any real concession, and also thought that further information should be given by the Government as to whether the important point raised by the hon. Member for Birmingham (Mr. Chamberlain) could be again brought forward and decided in Committee.

Question put.

The House *divided*:—Ayes 57; Noes 130: Majority 73.—(Div. List, No. 216.)

Main Question again proposed, "That Mr. Speaker do now leave the Chair."

Sir HENRY SELWIN-IBBETSON said, he must repeat the opinion he had before expressed, and which was the opinion of the Government, that it would be possible to raise a discussion upon the proposal being moved by the Chancellor of the Exchequer; but as that was not the opinion of the hon. Gentlemen who wished to place Amendments before the House, and as it was not the disposition of the Government to exclude discussion, they would withdraw their Resolution, and set up another in wider terms, in order to allow the desired discussion to take place. Under those circumstances, he would ask the House to allow the Government to go into Committee on the Bill, and the clauses, which were not money clauses, would be then considered until the fresh Resolution had been prepared. He would read the terms in which the Government proposed to alter the Resolution, not pledging himself absolutely as to the literal wording. He should propose that it should run to the following effect:—

> "It is expedient to authorize payment out of moneys to be provided by Parliament or otherwise;"

and then it would go on and say—

> "and also of compensation which may become payable under the provisions of any Act of the present Session for making better provision with respect to contagious and infectious diseases of cattle."

He proposed to withdraw the Resolution.

Mr. W. E. FORSTER said, he was very glad that the Government had come to that conclusion, and much time would have been saved if they had done so three hours sooner. He understood that the alterations would entirely meet the reasonable claim of hon. Members on that side of the House. When would the fresh Resolution be proposed?

Sir HENRY SELWIN-IBBETSON: To-morrow.

Mr. CHARLEY thanked the Government, on behalf of his constituents, for the concession they had made.

Mr. ASSHETON CROSS hoped it was not understood that the Government had changed their opinion on the subject.

Original Motion, by leave, *withdrawn*.

Order for Committee *discharged*.

CONTAGIOUS DISEASES (ANIMALS) BILL—[*Lords*.]—[Bill 204.]

(*Sir Henry Selwin-Ibbetson.*)

COMMITTEE. [*Progress 8th July.*]

Bill *considered* in Committee.

(In the Committee.)

Part I.—General.

Clause 1 (Short title) *agreed to*.

Clause 2 (Commencement of Act).

Sir CHARLES W. DILKE said, that he had an Amendment which came before that of the hon. Member for Cavan (Mr. Biggar). He proposed, in page 1, line 9, to leave out the words "thirteenth day of September one thousand eight hundred and seventy eight," in order to insert "first day of January one thousand eight hundred and seventy-nine." Evidence was taken before the Select Committee which sat last year as to what would be the time necessary to bring the new restrictions into force, and it was argued by several witnesses that the time proposed by the Bill was too short. He thought the time he had proposed would be convenient, and that there would not be time to get the Bill to work properly at an earlier date.

Amendment proposed,

> In page 1, line 9, to leave out the words "thirteenth day of September, one thousand eight hundred and seventy eight," in order to insert the words "first day of January, one thousand eight hundred and seventy-nine."—(*Sir Charles W. Dilke.*)

Question proposed, "That the words 'thirteenth day of September,' stand part of the Clause."

SIR HENRY SELWIN-IBBETSON said, he must confess that he did not see the advantage which would be gained by the alteration proposed by the hon. Baronet the Member for Chelsea (Sir Charles W. Dilke). What led the Select Committee to come to the conclusion that delay was necessary was that a very large number of ports would have had to be created if the slaughter of the whole of the foreign animals had taken place at those ports. It was in view of the preparation of these ports that the delay was suggested. But now that the same restrictions would apply henceforth as existed at present, and that the same countries were free, and that there would be the same ports of debarkation under the Bill as now existed, there was no apparent necessity for an increase of the number of ports in consequence of the number of cattle to be slaughtered not having increased; and he did not, therefore, think there was any necessity for extending the time fixed for the commencement of the Act.

MR. W. E. FORSTER understood the hon. Baronet to say that the proposal of the hon. Member for Chelsea (Sir Charles W. Dilke) had better not be accepted, because the only ground for it—namely, the apprehension of an increase of ports—did not now exist. But if the hon. Baronet referred to the 31st clause, he would find that, so far as foreign imports were concerned, the Bill would not begin to work until January the 1st. It provided that the present arrangement with regard to foreign imports would be in force until the 1st of January. He thought it would be more convenient if the whole of the Bill commenced for the whole of its objects at the same time. He really imagined that the Government would find that the period between that time and the 1st of January would not be at all too long in which to make the changes they proposed with regard to the home traffic. However, he could not help thinking that the hon. Baronet had lost sight of the fact that the operation of the Bill, so far as it concerned foreign imports, did really begin on the 1st of January.

SIR HENRY SELWIN-IBBETSON said, that his reason for answering the hon. Baronet the Member for Chelsea as he did, was that the hon. Baronet grounded his Amendment on the fact of the recommendation of the Select Committee which sat upon the question, and which was to the effect that as there were to be an increased number of ports a certain delay should take place. But here, as the right hon. Gentleman had pointed out, they were dealing with the alterations with regard to the home trade, and it was with a view of bringing about uniformity in those regulations as soon as possible that it was suggested that the Bill should come into operation as a whole on an early day, while putting off the operation as affecting foreign cattle till the 1st of January. It was more in the interest really of uniformity, which everybody admitted was so desirable, that the earlier day was suggested.

MR. W. E. FORSTER thought the hon. Baronet had not answered the question as to why part of the Bill should come into operation on the 1st of October and part on the 1st of January? He thought it was understood that the home regulations and the foreign regulations were to begin together. Why was one time to be fixed for the commencement of one part of the Bill and a different time for the other? He thought that the cattle trade altogether had much better know that it was under the regulations of the Bill at once; whereas, if it were passed as it was intended, the home cattle trade would be under new regulations, while the foreign trade was still under the old.

Question put.

The Committee *divided*:—Ayes 67; Noes 36: Majority 31.—(Div. List, No. 217.)

MR. BIGGAR, in moving an Amendment to the clause, said, that he did not wish to move it exactly as it stood upon the Paper. He wished to substitute "eighty" for "eighty-one," and he would shortly give his reasons for moving the Amendment. By Clause 37 of the Bill, the local authority was authorized to provide stations for cattle, and if the Bill were carried out, as was originally proposed, it would be indispensable that this should be done; because it was proposed that all cattle landed should be killed at the port of debarkation, except those from America. In addition to that, the Bill gave power to keep such cattle at the port of debarkation for a very long time, which would, of course, require a very extensive amount of accommodation. Well, they knew, as a matter of fact, that local authorities could not get large tracts of land into their hands, and afterwards erect buildings upon them, without a reasonable time being allowed. He thought that the time he proposed was not by any means an unreasonable one to ask. Of course, it was quite impossible that before the 1st of October next local authorities should make the necessary arrangements required under the Bill. He knew very well that the promoters of the Bill and the parties who were urging on the Government from behind or outside, argued very strongly that the provisions of the Bill would not lessen the supply of cattle from Denmark, Spain, Norway, &c. Of course, if that were the case, the result would be that very large numbers of cattle would come in. It must be acknowledged that the principle of compulsory slaughter would not do in very warm weather, as, in such weather, butchers would only buy from hand to mouth. If all those animals were to be slaughtered the moment they were landed, a very large amount of fresh meat would have to be sold at a ruinous sacrifice; and, doubtless, a considerable quantity of it would be wasted by having to be boiled down for tallow. That would result in a great waste of food, which of itself would be a great evil; and, in the next place, it would be a very great pecuniary loss to those who imported foreign cattle, and who had to keep up a continuous supply. Well, of course, those parties who were in favour of compulsory slaughter said that the cattle should be held over until it was necessary to kill them. If that were the case, then the local authorities would be bound to provide very extensive accommodation. One argument in favour of this extensive accommodation was that if it were not provided, disease, instead of being diminished, would be increased, as it had been undoubtedly proved by the highest authorities that overcrowding large numbers of cattle in small spaces had a tendency to engender disease. For all those reasons, he considered it desirable and proper that reasonable accommodation should be provided. Then, how could they expect that sufficient land and sufficient buildings could be found all in a moment? It was quite certain that owners of property, knowing that the local authority had no power of selection, but must take the land at whatever price they could get it, would ask extravagant sums, which would be very embarrassing to the local authorities to pay. Then the Bill proposed to deal with store cattle; and, with regard to those, it provided that they should be kept at the port of debarkation for 14 days before they were removed. If that was to be done, it was indispensable that there should be a very large amount of accommodation; and, in that case, they would require compulsory power to take the land and make arrangements for keeping those cattle in a proper way. He thought the time proposed by his Amendments was by no means too long to enable local authorities to make the necessary arrangements for carrying out the clauses for compulsory slaughter provided by the Bill.

Amendment proposed, in page 1, line 10, to leave out the words "seventy-eight," in order to insert the word "eighty."—(*Mr. Biggar.*)

Question proposed, "That the words 'seventy-eight' stand part of the Clause."

Sir HENRY SELWIN-IBBETSON said, he could not consent to the alteration proposed by the hon. Member for Cavan (Mr. Biggar), who had given as his reason for bringing it forward that the local authorities should have ample time to provide wharves, stations, and the other places required by the 37th clause. He wished to point out, what the House in all probability was already aware of, that all the towns affected could practically have ample time to deal with the foreign trade under the provisions of the Bill for that purpose. No change was proposed in the regulations which had already been in force for more than 18 months. The Bill would come into operation, in respect to the home trade, in September, 1878, and, in regard to the foreign trade, in January, 1879; and there would be ample time to alter the quarantine wharves already existing, and to prepare others should it be found necessary. He would point out that there was one great advantage in speedily bringing the Bill into operation. At the present time, there was a considerable decrease in the outbreaks of foot-and-mouth disease.

The existing restrictions had certainly considerably diminished the outbreaks of that disease, and there were now very few counties in which there was any considerable amount of it. He thought, under these circumstances, the Committee would see the great advantage of getting uniform regulations into force as soon as possible. In regard to the point which the hon. Member had raised in reference to the necessity of creating lairs and other places for the reception of store cattle, he would remind him that the Amendments which the Government proposed to make, and which were announced the other day, would place limitations which would practically put a stop to the importation of store stock. The only store stock which could now be imported was that which was for the purposes of exhibition or for scientific purposes; and the store stock which was so admitted was very different to that contemplated by the quarantine clauses of the Bill as it originally stood. The importation was thus so limited, that he did not think the Committee would feel that any danger would arise under that particular clause. The advantages in getting the Bill into speedy operation were so great, that he hoped the Committee would adhere to the Bill as it stood, and reject the Amendment.

MR. JACOB BRIGHT said, it appeared to him that the Amendment was a most reasonable, in fact, he would say a necessary, one. The guiding principle of the Bill was compulsory slaughter at the ports of landing. It was quite true that the Government had made a concession in regard to certain countries; but they did not know how soon compulsory slaughter might become general, and, therefore, they must look at the Bill in that light. He was a Member of the Committee of last year, and he remembered the difficulty of compulsory slaughter being argued on that Committee. Among the witnesses was one well known to hon. Members of the House—Mr. Howard, formerly Member for Bedford—who was in favour of compulsory slaughter at the ports of landing; but when the question was put to him as to whether he would suddenly resort to the practice, he readily admitted that there would be difficulties in the way; and on being asked whether he thought some time should not be given, he said he thought time should be allowed during which the local authorities could make the needful preparations. Places would be required for storing the meat at the ports, which did not exist at all at the present moment; and they would also require to provide places where it could be kept in a cool atmosphere—buildings which could only be erected after a considerable time, and at an outlay of money. If there was anything in the argument that compulsory slaughter on a large scale would create a trade in dead meat, these provisions must of necessity be made, if not, the meat would become tainted and spoiled before it reached the centres of population, and the real effect would be that the great towns would be deprived of the supply.

MR. ANDERSON said, the only argument put forward by the hon. Baronet the Secretary to the Treasury (Sir Henry Selwin-Ibbetson) that had any weight was, that by certain Amendments which he proposed to introduce, the importation of store cattle would be done away with; and that, therefore, the quarantine wharves would no longer be required, and would, therefore, be available for other purposes. The Amendment only postponed the bringing of the Act into operation for one year; and he thought that was not an unreasonable time, seeing that many arrangements would have to be made, unless the Act was to remain a dead letter. The responsibilities cast upon the ports which had to carry it out were of considerable magnitude, and required a great deal of time to be met. Take, for instance, Glasgow. There every inch of land was already occupied, and it would require not only a large amount of money, but a considerable time to find the land, and to make other arrangements. Liverpool was worse off still, and it would be impossible for the authorities there to make the arrangements without the lapse of a considerable time. They had heard earlier in the evening from the hon. Baronet the Member for Finsbury (Sir Andrew Lusk) of the difficulty which existed in the matter of finding sites for wharves. The expenses would be so great that the corporations would have to consider before they took action; indeed, he had no doubt that some day the Government would find that the Act had not been put into operation in some ports, because the corporations had not been able to find places and wharves for the slaughter of the cattle. There was, moreover, no power in the Bill compelling them to do this. It was true that Section 38 said they should do everything in their power to carry out the Act; but it did not say that they should go to an expense to provide wharves. He was quite sure there would be some localities which would not provide these wharves, and then they would have cattle arriving in ships which could not come in for want of accommodation. It was possible that that was what some hon. Members on the other side desired, and that they wished to see cattle coming which could not be provided for, and so to kill the trade at the outset.

Mr. J. W. BARCLAY could not agree with the observations of the hon. Member for Manchester (Mr. Jacob Bright) as to the Amendment being a reasonable one. If the Bill was to be passed into law, the sooner it came into operation the better, more especially as this was a time when there was not much disease in the country, and when it was probable that the enforcement of stringent regulations would have the effect of extinguishing it altogether. He could not understand the objection that there was no accommodation at the ports and harbours. If he understood the matter aright, all ports must have certain arrangements under existing circumstances, and it was necessary that they must have the requisite accommodation before the Privy Council would sanction them as ports of landing at all. The Government had done wisely in withdrawing the quarantine arrangements, and in prohibiting altogether the importation of store cattle. The farmers were very anxious to have store cattle, if they could have them with safety; but feeling that they could not have them with safety, they were prepared to forego whatever advantage or profit they might derive from feeding them. Hon. Members should not be so ready to argue that on this question farmers were seeking their own interest. He hoped the hon. Member would not persevere in his Amendment.

Mr. GORST sympathized very much with the object which the hon. Member for Cavan (Mr. Biggar) had in view in moving the Amendment; but he feared it would not carry that object into effect. The clause did not deal with that matter at all. It only dealt with the commencement of the Act in regard to matters which were not otherwise expressly provided for. The time for the commencement of compulsory slaughter was one of the matters which was expressly provided for in a subsequent part of the Bill; therefore, even if the Amendment were carried, it would not affect that matter at all. He would suggest the withdrawal of the Amendment for the present, and that the object of the hon. Member would be best secured by moving an addition to the clause providing for compulsory slaughter.

Mr. SYNAN said, it was clear that the object of the Amendment was to assist in defeating the Act, for he was totally at a loss to see what benefit would arise from it. The argument that more time was required to make preparations was defeated by the facts of the case. No more animals would be required to be slaughtered then than were required now, and the accommodation being at present sufficient, there could be no object in postponing the operation of the Act, except the object of defeating it, which he feared his hon. Friend (Mr. Biggar) had in view.

Mr. MUNDELLA said, the hon. Member for Limerick (Mr. Synan) seemed to have come to the conclusion that the slaughter at the ports of landing was to continue as at the present moment; but what was to be done in regard to America and the five countries which had been withdrawn from the Schedule? If the hon. Member had sat upon the Committee of last year, as he (Mr. Mundella) had done, he would have seen that every witness who came before the Committee—not only Mr. Howard, but every other witness who was favourable to the Bill—had admitted that it would require considerable time to afford the necessary facilities for compulsory slaughter. If the hon. Member had heard what had been said by the hon. Member for Liverpool (Mr. Rathbone), he would know that at Liverpool there was absolutely no provision for putting the Bill into operation. They would have to provide refrigerators and make other provisions for keeping the meat cool. Everything pointed to a complete disturbance of the present trade in meat. How could they, then, contemplate such a change as this Bill would effect in the whole trade of the country without giving the localities some time to prepare for it? That was one reason he had for thinking the Amendment a reasonable one; but he would be frank, and admit that he considered this a very bad Bill, and, therefore, the later it was brought into operation, rather than sooner, the better. He could not look with dissatisfaction on a proposal which would have the effect of giving the House time to reflect on the measure, and the country and borough constituencies time to feel the disturbance and loss which it would entail upon them.

MR. BIGGAR, in reference to the observations of the hon. and learned Member for Chatham (Mr. Gorst), said, if the Amendment would not apply to compulsory slaughter clauses, it could, if carried, very easily be made to apply to them when they were reached. From the manner in which the Bill was drawn, it was difficult to say where the Amendment should come in. It appeared to him to have been drawn with the object of mystifying everybody, and to bring out as few points on which an issue could be raised as possible. That was, no doubt, a very desirable state of things from the Government point of view; but it caused him some little difficulty in deciding whether the Amendment would or would not apply to compulsory slaughter. He had, however, decided to raise the issue on this clause, and he felt certain that he was right. In the case of Liverpool, it had been suggested that accommodation could be found at Birkenhead; but it was shown to the Committee that if that spot were chosen, it would entail an expenditure of something like £2 10*s*. on every head of cattle which was brought to Liverpool. But they did not know that the owners of the land at Liverpool would take a fair price for it; but it was impossible to suppose, even if they had the ground at this moment, that the port of Liverpool would be able to put up the buildings in time for the date on which the Act would come into operation as the Bill now stood. The hon. Baronet had said it was not intended to enforce compulsory slaughter on the five un-scheduled countries; but they all knew the sort of pressure which would be brought to bear upon the Government directly the Bill was passed, and it was impossible to resist the conviction that if the Bill were carried in its present shape, compulsory slaughter would be the rule. They knew how to judge of the allegation that the meat-producers of this country wanted protection for their flocks and herds. There was no truth in the statement that disease prevailed in every one of the un-scheduled countries. France was as healthy as England, and it was only a pretence on the part of those who were urging the Government on, and a false pretence, to say that this was not the case. He hoped this outrageous, iniquitous, and impudent attempt to raise the price of an article already at a famine price would be defeated. It was perfectly impossible to bring these compulsory powers into operation unless the ports had reasonable time for fitting up the wharves and other places for the reception of the meat. Those who said it could be done in three or four months were arguing against palpable facts.

MR. J. W. BARCLAY said, he saw no necessity for conferring upon the Privy Council powers additional to those which they already possessed. They could now order the slaughter at the ports of debarkation of all cattle imported from America as from elsewhere, and what was more necessary?

MR. ANDERSON pointed out that, as the Bill was introduced, there was to be compulsory slaughter, no discretion being left in the hands of any authority; and that, therefore, the House had a right to judge of the intention of the Government by the form in which the measure was first submitted, rather than by the condition in which it came down to them from the House of Lords. It was true that the other House had made Amendments in the Bill as far as it related to America and Canada; but that did not change the impression as to the views still entertained by the Privy Council, or the feeling of suspicion as to what that Department would be likely to do, if intrusted with the wide discretion which was proposed to be given to them. There was a party at the back of the Privy Council which had a strong desire for universal slaughter of cattle on debarkation, and would continually urge them to that course, in the exercise of the discretion with which they were now proposed to be invested.

Mr. MUNDELLA said, it was a mistake to suppose that the Privy Council could, under any circumstances, order the slaughter of imported cattle. They could only do that on proof of the fact that the countries from which they came were infected with cattle disease, or that the cattle were themselves infected. Under the Bill, and by the Amendment proposed by the hon. Baronet the Secretary to the Treasury, the onus of proof as to infection would be placed upon the wrong persons. Under the circumstances, the House had a right to insist upon stronger guarantees than were proposed for the purpose of obtaining greater freedom; and he thought hon. Members would be false to their trust if they did not do all they could to prevent the Bill, in its present form, being made an Act of Parliament. It was all very well to ask—whoever dreamed of the compulsory slaughtering of American cattle at the port of debarkation? but were not hon. Members aware of the fact that such slaughter was a part of the Bill as originally introduced, being included in the compulsory slaughter clause; and that, in the event of a large discretion being given to the Privy Council, strong pressure would be brought to bear upon them to put America in the list of infected countries to which the restriction would apply? Professor Gamgee, who was practically the father of the present Bill, and who gave such extraordinary evidence before the Committee, on whose inquiry the Bill was based, stated that through the Western States of America foot-and-mouth disease and pleuro-pneumonia were chronic; and was it not, therefore, likely that he would, if possible, procure the slaughtering of all American cattle at the ports of debarkation in this country? He (Mr. Mundella) could not contemplate the probable results of that legislation without alarm, because our only hope of getting a good supply of meat at a reasonable price was from America. He had no doubt that the supply from America would not only continue, but would go on steadily increasing as long as free ingress was afforded; but as soon as it was laid down that all American cattle were to be slaughtered at the ports, there would be an end to the trade in both live and dead meat.

Mr. BIGGAR admitted the force of the argument of the hon. Baronet the Secretary to the Treasury, that one of the main reasons for pushing on this Bill as rapidly as possible was that there was, at the present time, very little cattle disease in this country; but if the view of Professor Gamgee was the correct one, there need be no trouble taken with regard to home-bred cattle. The learned Professor thought it unnecessary to impose any restrictions upon the dealing with home-bred cattle—his sole contention seemed to be that foreign animals should be slaughtered at the port of debarkation. He must confess that he had no great veneration for the opinions of Professor Gamgee, in whose argument before the Committee there was a want of logical accuracy. Moreover, the history of the gentleman was against him. Some 30 years ago, he announced himself to the world as the head of a veterinary college in Edinburgh, and his college consisted of a three or four stalled stable in the rear of a private house. Professors Fowler and Sewell gave much more valuable evidence, and spoke with greater authority. With regard to the speech of the hon. Member for Sheffield (Mr. Mundella), he would remark that circumstances might arise which would make the price of meat in America as high as in this country; and, therefore, it was not wise to rely, under any circumstances, upon an unlimited supply from the United States. For that reason, it would be advisable to give every encouragement to Continental countries, in which cattle were fed, to send us supplies. He, therefore, hoped that the slaughtering clauses would not be pressed by the Government. If they were pressed, and passed, great inconvenience would result; because the facilities for slaughtering the cattle and keeping the dead meat in the port of Liverpool were so scant that the proposal could not be carried out, without involving the sale of the slaughtered cattle at a very great sacrifice.

Question put.

The Committee *divided:*—Ayes 80; Noes 40: Majority 40.—(Div. List, No. 218.)

Sir HENRY JAMES, in moving, as an Amendment, in page 1, line 17, after "Act," to insert—

> "Provided that no such Order shall be valid if its operation shall be inconsistent with the obligations existing under any Commercial Treaty for the time being in force."

said, he was anxious to direct the attention of the Committee to a matter of great importance. He admitted that it would have been better if, in one of the later clauses or schedules of the Bill, the Amendment which he was about to propose could have been introduced; on the other hand, it would be far more convenient, if he were right in the view he entertained, that the time of the House should not be consumed in the useless attempt at legislation in a direction which could never come into effect, and which would never have any practicable result. The view which he was anxious to present to the Committee was, that it was impossible to proceed with any portion of the Bill affecting the slaughter of cattle, so far as those nations with whom we had commercial relations were concerned, without committing a breach of Treaties which the House, if it were shown that we were proceeding in the face of those nations to legislate in a direction that produced a breach of those Treaties, would never sanction. He was sure the House would be at once disposed to consider that question with a due regard to its gravity, and that, if the Committee should come to the conclusion that he, and those who entertained the same opinions upon the subject with him, were right, they would not proceed to legislate with the object and intention of breaking the Treaties to which he had referred; and he thought, also, that he might appeal to the Government for a confirmation of the principle contained in his Amendment, that they should not pass one clause of the Bill by which such breach of Treaties would be effected. What were their obligations to foreign nations? He was not about to trouble the Committee with a review of all the Commercial Treaties into which we had entered with the different States of Europe; but it would be well to call the attention of the Committee to one or two of the Treaties effected with those countries from which they received and were likely to receive their supplies of live cattle. The Committee would know that those Treaties contained a clause known by the name of the "Most Favoured Nation Clause," and while they would also probably be aware of its effect, he might, perhaps, be permitted to call their attention to its express words, and to show how strong was the obligation which that clause cast upon them. The first Article of the Treaty with Belgium, which would be found to be most important, not only with respect to the claims of that country, and with respect to the relations of England with other foreign countries, but also in relation to Ireland, contained these words—

> "There shall be reciprocal liberty of commerce between all the subjects of the two high contracting parties, and the subjects of each of them shall, throughout the whole of the territory and possessions of the other, enjoy the same rights, privileges, liberties, favours, immunities, and exemptions in matters of commerce and navigation which are or may be enjoyed by native subjects."

That was to say, that Belgium should enjoy the same privileges in matters of commerce which were enjoyed by the subjects of this country. We had also a Treaty with France, by the 19th Article of which the two contracting Powers engaged not to enforce against each other any article of prohibition which was not at the same time applicable to other nations. The words of the Treaty with Austria were equally strong. The 7th clause said, that the high contracting parties agreed that every reduction in duty and every privilege, favour, or immunity which either of the high contracting parties might in future grant to the commerce of a third Power should be extended immediately to the other contracting party without reserve, and in the same way as they should apply to the commerce of such third Power. Subject to some reservations, Clause 8 of the Treaty provided that the subjects of one of the contracting parties should, in the dominions and possessions of the other, enjoy an equality of trading, in regard to charges for loading, unloading, and warehousing, and also in regard to transit trade. The engagement with Prussia was almost similar. He believed he had read enough to the House to show that, having regard to our Treaty obligations with the countries of Belgium, France, Austria, and Prussia, they ought not to place any other State in a better position than those countries with relation to the importation of cattle. Was it intended to keep to those obligations, and, whether practicable or not, to endeavour to remedy the defects existing in the Bill, or was it intended to proceed in a course of legislation which would at once effect a breach of those Treaty obligations? But if it were declared by Act of Parliament that one country was not to have the same rights as another, that constituted a breach of Treaty obligations. And it was not enough to say that the Privy Council had a discretionary power to remedy this inequality. It was derogatory to the House and the country to proceed in a course of exceptional legislation in the face of our Treaty obligations, and he was certain hon. Members opposite would be most unwilling to see the country placed in such a position by putting one country on terms of inequality with another by virtue of the Bill before the Committee. He thought he could make good his statement that it was intended to do so. The House would recollect that, by virtue of the 3rd clause of the 5th Schedule, the general result would be that, *primâ facie*, all animals imported from foreign States must be slaughtered at the ports where disembarkation took place. But it would be found, by the 17th clause of the 5th schedule, that Canada and the United States were placed in a different position in relation to the slaughter of their cattle. The words were—

> "In relation to animals brought from Her Majesty's possessions in North America, or from the United States of America, the provisions of this schedule relating to slaughter or to quarantine, or any of those provisions, shall not have effect unless and until the Privy Council from time to time by general or special Order so direct."

He asked the Committee to consider the effect of that one clause alone. They had, by virtue of the Treaties with Belgium and France, promised those two countries that there should be no inequality in relation to the import and transit of cattle between them and any other State, and they were now about to enact with regard to those countries, by a provision of the Bill, which admitted of no relaxation, that their cattle must be slaughtered at the port of disembarkation. But how were the American cattle to be dealt with? *Primâ facie*, they would be allowed to roam about the country, without restriction, unless the Privy Council interfered. Was it right that the cattle of France, Belgium, Austria, and Prussia should be slaughtered on their arrival in this country, while the American cattle passed freely from one part of it to another? He asked the hon. and learned Gentleman the Attorney General, who would have to consider the subject, whether he would maintain that that was equality? It was not enough to say they would effect some remedy in the future; they had no right to enact a wrong against which they might provide hereafter. Legislation which placed countries, to which they were bound by obligations such as he had described, in a state of inequality with other countries, was in itself a breach of the Treaty. ["No, no!"] His right hon. Friend opposite said "No, no," but he respectfully differed from him, and asserted with confidence that if they legislated and said that one country should have rights which differed from those of another country, they established an inequality; if they left it optionally to one country—say America—to send beasts over here without their being slaughtered at the port of disembarkation, and prohibited France and Austria from doing the same, that was inequality. He now turned to the Amendment which had been adopted by the Government, and proposed to the House as the terms upon which they should pass the Bill. The new paragraph to be inserted at the end of the 5th Schedule, said—

> "In relation to animals brought from Denmark, Sweden, Norway, Spain, or Portugal, if, and as long as, from time to time, the Privy Council are satisfied, with respect to any one of those countries, that the laws thereof relating to the importation and exportation of animals, and to the prevention of the introduction or spreading of disease therein, are sufficient to afford reasonable security against the importation therefrom of diseased animals, and that disease is not prevalent therein, then from time to time the Privy Council may, by general or special Order, allow animals, or any specified kind thereof, brought from that country, to be landed without being subject under the provisions of this schedule to slaughter or to quarantine, and may for that purpose alter or add to those provisions, as the case may require."

It was the intention of the Government to propose that Amendment to the Committee, as an argument for the acceptance of the Bill. He asked the Committee to consider the general result of that Amendment. In the first place, all foreign countries landing live stock in this country, with the exception of

America, would have their live stock slaughtered and sold; and with relation to the five countries enumerated in the proposed Amendment, the Privy Council might, at any time, set them free from the operation of the Bill; but it could not set free any country saving the five countries. The result was that they were legislating in a manner which would allow American cattle to come in freely, and positively prohibit the cattle from countries whose Treaties with us contained the "Most Favoured Nation Clause," while we delegated to the Privy Council the power to allow the entry of cattle from countries other than the contracting countries. He asked the Committee, was that equality? If the Privy Council came to the conclusion that the laws of the five countries mentioned in the proposed Amendment relating to the importation and exportation of animals, and the prevention and introduction or spread of disease were sufficient, and afforded a reasonable security against disease in this country, upon that being shown, they would be bound to exempt those countries from the operation of the Act, and they could not arbitrarily refuse to exercise their judgment truly as to whether any one of those five excepted countries should be taken out of the provisions of the Act. Why were those countries excepted? It was because of the possibility that they were free from disease, and that their laws were sufficient to prevent the spread of disease; and on their application for exemption, there was little doubt that the Privy Council would at once declare them outside the operation of the Act, and that their cattle should not be slaughtered. Only a few nights ago, the right hon. Gentleman the Home Secretary had asked what was the point at issue between them? and had himself replied that the only difference between those who wished to make the five excepted countries subject to the Privy Council, and those who asked for further exceptions was, that the one wished to bring them under an Act of Parliament, and the other under an Order in Council. According to the view of the right hon. Gentleman, he had represented that as the same thing when he desired to make peace between the Opposition and the Government, on the ground that the Privy Council would do what was right, whether the case of a particular country were left to their discretion or provided for by statute—the two things were identical. That was, in effect, saying to the Representatives of the five countries—"We are about to subject you to the certain decision, judgment, and discretion of the Privy Council, and the moment you satisfy them that your cattle are clean and will not spread disease, your cattle shall enter these ports." But in the case of France and Austria, if the Representative of the latter came with proof in his hand, that the cattle of his country were free from disease, and that the laws of the country were sufficient to prevent the spreading of disease, and said—"Our herds and flocks are waiting to be sent to your country," and if the Representative of France were to say—"We see Spanish vessels passing by our shores, day by day, laden with Spanish cattle, and producing great profit to the Spanish owners, while you shut out ours when disease may at any time enter their possessions; you have promised to give us equal rights with them, and every other nation whether you contracted with them by Treaty or not; why do you not let in our cattle in the same way as you admit the cattle of Spain and Portugal?"—what answer would it be to say—"We cannot do it unless the Privy Council make the Order?" He called the attention of the Government to these facts. If they had done wrong before, it was no reason why they should do wrong again. He repeated that they would have no justification for giving to the Government and the Privy Council the right to place the five countries in a different position to the countries to which they had made the promise that they should have equal rights with any other country. It would be no answer to say that this power had been conferred on a portion of the Executive Government. They had said, by express enactment, France, Austria, Belgium, and Prussia, should have their cattle slaughtered; but they would give to Spain, Portugal, Sweden, and Denmark, the right of bringing their cattle to this country, subject to the discretion of the Privy Council. There was another matter to which he wished to call the attention of the Committee. It would be recollected that the terms of the first Article of the Treaty with Belgium were that that country should have the same rights, privileges, favours, immunities, and exemptions, in matters of commerce and navigation as were enjoyed by native subjects. What, under the present law, were the rights of Ireland? If he understood them rightly, they were, that if out of 300 animals sent from Dublin to Liverpool one only was diseased, that one alone would be slaughtered and the others would be admitted. Was that admitting Belgium to equal rights with native subjects? How could the treatment of cattle in the two cases be reconciled? Was it equality to enact that all the cattle from Belgium should be slaughtered; while, in the case of Ireland, only the cattle were to be slaughtered that were actually diseased? He would rather that inequality should have existed between two foreign countries than between a part of our own country and a foreign State to which we had promised that no difference should exist as between the subjects of the two countries. He objected to the passing of the Bill, on the promise that if any inequality should arise, the Government would come down to the House and ask for further powers. Suppose, for example, that in September next we were admitting Spanish cattle, and the Representative of France complained and asked that the French cattle should be admitted on the same terms. The Privy Council would reply—"We cannot do it, because Parliament has not given us the powers; if you will wait till we meet again in February next, Parliament shall remedy by fresh legislation any inequality which then exists;" but by that time they might change their minds and disapprove of the admission of cattle from any countries other than those named in the Schedule. He begged to move the Amendment of which he had given Notice, with the full assurance that the gravity of the question would justify its insertion.

Amendment proposed,

In page 1, line 17, after the word "Act," to insert the words, "Provided, That no such order shall be valid if its operation shall be inconsistent with the obligations existing under any Commercial Treaty for the time being in force."—(*Sir Henry James.*)

Question proposed, "That those words be there inserted."

Sir HENRY SELWIN-IBBETSON said, he was quite ready to admit at once the gravity of the question which the hon. and learned Member for Taunton (Sir Henry James) had brought under the notice of the Government, on whose behalf, especially, he would say that it was not their wish, at all events, to see the obligations of Treaties set aside; but he wished to place before the Committee his opinion that the Treaties which contained the so-called "favoured nation clause" would not be set aside by the action of the Bill; and with due deference to the knowledge of the hon. and learned Gentleman, he would state the grounds of his opinion. He maintained that the clauses of the Bill made no difference with regard to the importation of cattle into this country, inasmuch as that importation was the same in all cases, and it was only the manner in which cattle were dealt with afterwards, which was subject to different home and police regulations. The House of Commons had determined what were the requirements of the country with regard to the control of cattle diseases, and with regard to the measure of police regulations which might be necessary in this country for checking that disease, as well as those home regulations which should come into force after the importation of cattle had taken place. Parliament retained in its own hands the power of dealing with that question, while it delegated certain powers to the Privy Council, acting under its direction; and, in certain cases, it gave to the Privy Council powers of action which in other cases it reserved to itself. From that point of view, what was proposed under the Bill? Parliament determined that the evidence before it justified the introduction of cattle from America, and intrusted to the Privy Council a discretion with regard to certain other countries mentioned in the Schedule, in consequence of having satisfied themselves that the restrictions in those countries, though not so complete as those in America, were or would soon be, sufficiently strict to allow the Privy Council a discretion in the matter. With regard to other countries, Parliament decided, on evidence before it at the present time, that those countries were not in an equal position, and Parliament in the same Bill declared that those countries were not equal, in respect to disease, to the other countries, and it prohibited the importation of cattle, except for slaughter. Whichever country could show that it fulfilled the conditions which Parliament had agreed to be sufficient to warrant the introduction of cattle from America would have the same treatment applied to it by Parliament as was applied to America. He maintained that the whole question was the action of Parliament, either by itself, or through its delegated authority given to the Privy Council. He thought hon. Members could hardly deny that Parliament had the power of dealing with the importation of disease. How were we situated at the present time, and what was the treatment of the different nations with which we had the "Favoured Nation Clause?" At that very moment, Germany, the Netherlands, Belgium, Russia, and Austria were prohibited from introducing cattle into this country, except for slaughter at the ports. There had been times—it was so only a few months ago—when we went even further with those countries, and on account of the danger from disease, their cattle were actually prohibited from coming to this country. With regard to Russia, that state of things existed at the present time. He would ask the Committee whether, from the point of view that had been put forward, that was not as great an infringement of Treaties as was involved in this Bill? ["No, no!" *and* "Equality!"] An hon. Member exclaimed "equality!" but where was the equality of shutting out cattle from Germany and allowing, at the same time, cattle from Denmark to come in, unless it was that one country fulfilled the conditions laid down, and another did not? That was the law at the present time, and the distinction was admitted. Well, the distinction had been drawn in this Bill. Parliament would say in the Bill that those countries which were at present excluded from free access to the whole of England by Order of the Privy Council, had not been able to satisfy this country that their bill of health was in the same condition as that of the unscheduled countries; and, under those circumstances, the position of the former countries would be identical with their position at present. He maintained that it was Parliament, and not the Privy Council, which should act in this matter; and Parliament could always, on the conditions in one of those countries being proved to be equal to the conditions now existing in America, put that country on an equality with America. Unless restrictions with regard to disease were altogether done away with, he did not see how the Bill would be altering the present state of things; because they would leave to any country the power of proving that it was free from disease, and, on such proof being given, cattle from the country would be admitted as freely as those of America were under the Bill. All turned on the question whether the Privy Council or Parliament was to have the initiative; the power in either case remained of dealing in the same way with all nations which could show equality of freedom from disease, and it was only because that freedom from disease was not shown by certain nations that they were not included in the provisions of the Bill.

SIR CHARLES W. DILKE said, the hon. Baronet the Secretary to the Treasury (Sir Henry Selwin-Ibbetson) did not seem to see the objection which had been raised. He seemed to think that a Treaty was not broken, because after it had been broken, Parliament would be able to restore it. He (Sir Charles W. Dilke) contended that three or four Treaties would be broken from the very moment at which we established an inequality with regard to cattle coming into this country. Let the Committee consider for a moment what would be the position of France. France had one of the strongest of these Treaties with us, and the Treaty stated that neither England nor France would enforce against the other any prohibition of importation or exportation which should not at the same time be applicable to all other Powers. The hon. Baronet had frequently used a phrase which the Chancellor of the Exchequer had used that night in answering a question—"in like cases;" but if the cases were alike, the treatment of different countries under this Bill would not necessarily be alike. It would not be in the power of the Privy Council under this Bill to admit French cattle, even although France was entirely free from disease; while it would be in the power of the Privy Council to admit the cattle of countries that competed with France; and, therefore, with like freedom from disease, there would not be a like principle of treatment applicable to all cases. The hon. Baronet seemed to think that the Treaties were limited to importation, and took no account of internal trade. But some nations appeared to have contemplated the very objection now raised, and the Austrian Treaty distinctly used the word "transit." In that Treaty, it was provided that the subjects of one of the contracting Powers should enjoy in the dominions of the other equality of treatment with native subjects, not only in the charges for loading and unloading, and for warehousing, but in regard to transit trade. The word "facilities" was also used; but the phrase "transit trade" was the strongest phrase in all these Treaties; and it was distinctly applicable by the "Most Favoured Nation Clause" to France and to all the countries now in question. The hon. Baronet said the position was exactly the same as it would be if they passed the Bill, and he seemed really to think that the House would believe—as he, evidently, believed himself—that that would strictly be the case. But how could anyone who had carefully read the Bill come to such a conclusion? It was true that at the present time live cattle were sent here by countries which would also send them if the Bill passed; but, at the present time, there was equality of treatment of all the countries of Europe and America, the Privy Council having power to make rules with regard to them, admitting or refusing their cattle, and the words of the Chancellor of the Exchequer, "in like cases," applied. When the cases were the same, the same rule applied. But if the Bill were passed, this would no longer be so; the cases of France and Spain might be precisely similar, but cattle would be admitted from Spain and not from France. He contended that the moment the clause was passed the Treaty with France would be broken, and it would be no answer to the French Government to say that it was open to Parliament at its pleasure to undo the mischief which had been done.

Sir H. DRUMMOND WOLFF said, he hoped the Government would seriously consider the Amendment. Did they for a moment wish to say that the operation of the clause was to be valid, even if it were inconsistent with the provisions of a Treaty? He thought his hon. Friends could not see what they were plunging into. They were really attacking the faith of all Treaties. Now, we stood on Treaties—our platform was "respect for the operation of Treaties"—and here were the Government saying that a clause should be valid whether it was consistent with the provisions of Treaties or not. The Amendment could do no harm, and would save the faith of this country towards foreign countries. What would be the effect of refusing the Amendment? The Government would break the clauses of a Treaty without giving notice, and that would release the foreign country from any obligation towards this country under that Treaty. He would ask the Law Officers of the Crown to say if that would not be the case? He felt strongly that they were bound to acknowledge the operation of Treaties, and not to pass any legislation that was inconsistent with them. He hoped the Chancellor of the Exchequer would carefully consider the Amendment, and would not, for exigencies of legislation, allow a doubt to be thrown on the intention of Government to maintain its Treaties with foreign countries.

Mr. MUNDELLA said, he was very much surprised at what had fallen from the hon. Baronet, as he had not in any way answered his (Mr. Mundella's) general question, as to whether they could, consistently with their Treaty obligations, maintain the conditions imposed by the Bill? He should also have expected, after the able speech of the hon. and learned Member for Taunton (Sir Henry James), that the hon. and learned Attorney General would favour the House with his opinion. He should be surprised if the hon. and learned Gentleman were to maintain that if the Bill were to pass in its entirety, the action of Parliament would be all that was required to restore to a position of equality those countries that had fallen under its operation. If that were so, he would much prefer that the Bill was made to harmonize with the conditions laid down in foreign Treaties. The hon. Baronet (Sir Henry Selwin-Ibbetson) said that when a country could show, as America could show, a clean bill of health, then Parliament would deal with it, and would place it in the same position as America. But a country that had a Treaty with this country had no right to be required to wait until we had passed an Act of Parliament. Such a country had nothing to do with an Act of Parliament. A Treaty was a binding contract, and was in force from the moment it was signed. In nearly every one of our Treaties with foreign countries there was the condition that every rectification of the tariff of import and export duties, and every other privilege, favour, and immunity—the hon. Baronet himself proposed, by the Amendment which he had placed on the Notice Paper, to give a privilege, favour, and immunity to five countries—which either of the contracting Powers should thereafter grant to the subjects and commerce of a third Power should be extended — when? When an Act of Parliament had been passed? No;—should be extended immediately and unconditionally to the other contracting Power. These were the terms to which he wanted to bind the hon. Baronet. Let them suppose the Bill passed, and that at the close of the Session Spain was sending cattle, and France had a clean bill of health and wanted to send cattle—France would complain that they had passed an Act under which she could not send cattle, unless they were slaughtered at the port of landing. The Privy Council would reply that they would endeavour to get an Act of Parliament passed; but it would be 12 months at the earliest before they could do so, and where would the Treaty be all that time? He would ask the hon. and learned Attorney General to consider some of these Treaties. In the Austrian Treaty it said that Austrian subjects and commerce should be placed in all other respects on the footing of the "most favoured nation;" and in another Article it recited that the subjects of one of the contracting parties should enjoy in the dominions and possessions of the other equality of treatment with native subjects in the charges of loading and unloading, warehousing, and the transit trade, as also of bounties, facilities, and drawbacks. What could they have stronger than this? The same Treaty, in its last Article, recited that this could not be modified, except that the high contracting parties reserved to themselves the power to introduce, by common consent, into the Treaty any modification which was not opposed to its spirit and principles, and the utility of which should have been shown by experience. So much for the Austrian Treaty. The Belgian Treaty was quite as strong. It said that in all that related to navigation and commerce the high contracting parties should not grant any privilege, favour, or immunity to any other country which should not be at once and immediately—immediately, not after an Act of Parliament had been passed and a discussion had taken place in that House—conceded to their respective subjects. What would happen if the Bill were passed? Belgian cattle, it was true, were now prohibited from entering inwards; but must be slaughtered at the ports. Why was this? Because they had put Belgian cattle exactly on an equality of condition with all other cattle. When Belgium could show as clean a bill of health as Spain, or Portugal, or Denmark, she would be allowed to send cattle, as those countries were allowed to do. But if this Bill passed, no matter what was the condition of Belgian cattle, the Privy Council would not have the power to admit them. The Treaty with Prussia and the Zollverein, signed in May, 1869, recited that any favour, privilege, or rectification of tariff or duties on importation or exportation which either of the contracting Powers should extend to any third party should be extended immediately and unconditionally to the other Power. Did they think that Prince Bismarck, if they treated him as he would be treated by this Bill, would respect their Commercial Treaties? Let them consider what a demand there was all over Europe on the part of Protectionists to abrogate their Commercial Treaties, and how important it was for this country to maintain the faith of those Treaties. Yet here was the Government deliberately proposing to violate them by an Act of Parliament. There was a supplementary Treaty with France, which said that each of the high contracting Powers engaged to extend to the other any favour, privilege, or diminution of tariff, which either of them might grant to a third Power, with regard to the importation of goods mentioned or not mentioned in the Treaty. So that they could not refuse to France anything, whether recited in the Treaty or not, which they gave to a third Power. How, then, could they maintain that they were keeping their Treaties, if they passed the provisions of the Bill? The hon. Baronet said that the position of the nations of Europe would be precisely the same when the Bill was passed as they were at present. It would be so, if those countries that had a clean bill of health remained free from disease, and those that were unclean continued to be infected; but if a country now infected should become free of disease, the Privy Council would not be able to admit the cattle of that country, because their hands would be tied and fettered by this Bill. He wanted to know why the Government could not allow things to remain as at present? The noble Lord the Secretary of State for Foreign Affairs (the Marquess of Salisbury), when the Bill passed the third reading in "another place," declared that while the President of the Council remained in Office there was no need even for this Bill.

THE CHAIRMAN said, the hon. Member was out of Order in referring to the debates in another House.

MR. MUNDELLA said, he bowed to the decision of the Chairman; but he would say that if it was contended by anybody anywhere that the Bill was needless so long as the present Lord President of the Council occupied his place, all the Government had to do was to put in the Bill a provision that immediately a Liberal Government should accede to power the Bill should come into operation. That would meet the difficulties of the case. If hon. Members had confidence in the Privy Council, surely they had equal confidence in the continuity of their position —at any rate, for some time to come they needed not to be disturbed about it. Why should they run the risk of bringing their system into collision with nearly all the commercial Powers of Europe, and of placing in jeopardy all the commercial benefits which the country derived from Treaties, merely because they were afraid that a Liberal Government would come into power? He would appeal to the Chancellor of the Exchequer, as Leader of the House, to get rid at once of a great difficulty and a blot on the Bill which met them everywhere. If the Government would but retain the discretion now vested in the Privy Council, Liberals would help them to pass the Bill. Let them exclude disease wherever they found it; but whenever a country showed a clean bill of health, let the cattle from that country find their way to the consumers of our inland towns. Hon. Gentlemen behind the Government had confidence in the Privy Council with respect to internal regulations; why not with respect to external regulations? How would those hon. Members who had been advocates of Treaties of Commerce and of Free Trade meet other nations when they said—"It suits you to have Free Trade when it is convenient for you; but when you want to protect your farmers, you exclude our cattle, healthy or not healthy." He had Amendments further on which would raise the whole question. In fact, the question faced them all through the Bill, and he did not believe the Bill would ever be passed with that provision in it. He thought Liberals would be to blame if they allowed the Bill to pass in its present form, both on account of its effect upon their constituencies, and on account of its interference with International Treaties. Englishmen believed in Treaties, and meant to fulfil their Treaty engagements; but he said the House could not pass the Bill, and at the same time keep its Treaty engagements. He hoped the hon. and learned Attorney General would say whether they could do so. If he did say so, all that could be said was that lawyers differed, for he (Mr. Mundella) had taken counsel's opinion on the point, and, as far as he knew, there were not two opinions about it. He had not heard a single lawyer say that they could maintain their Treaty engagements intact if they passed this Bill.

THE ATTORNEY GENERAL (Sir JOHN HOLKER) said, the hon. Member for Sheffield (Mr. Mundella) had expressed himself as being very anxious that he (the Attorney General) should get up and state his opinion whether that Bill could be passed without infringing Treaty engagements. Well, he (the Attorney General) said distinctly, having considered the matter as carefully as he could consider anything, that the Bill could be passed in its present form without infringing any Treaty whatever; and if the House would permit him, he would state, as shortly and distinctly as he could, the reason for the faith that was in him. The hon. Gentleman, in treating of the Bill generally, had said that it would be well to postpone the operation of the Bill until a Liberal Government came into power. Possibly the Government might do well to consider that suggestion, but that they feared it would entail too long a postponement; and therefore they would prefer to have the Bill come into operation soon. But before he came to state the reasons which had led him to the conclusion that the Bill could be passed without infringing any Treaty obligations, he would say a word or two with regard to the very earnest and vehement and able speech of his hon. and learned Friend the Member for Taunton (Sir Henry James). The hon. and learned Gentleman began by apologizing to the House for having introduced his Amendment at so early a stage of the Bill. He (the Attorney General) maintained that his hon. and learned Friend had not brought in his Amendment on a clause which was very *à propos*. He had introduced an Amendment of a very seductive character, for he asked them to say that no Order, such as was described in Clause 2, should be valid if its operation should be inconsistent with the obligations of any Commercial Treaty for the time being in force. Now, that was certainly a very plausible suggestion, which was apt to seize at once on the imagination. In fact, it had seized on the imagination of his hon. Friend the Member for Christchurch (Sir H. Drummond Wolff), and had captivated him perfectly. But his hon. Friend had not considered sufficiently the insidious nature of the Amendment. Read exactly as it stood, it proceeded upon the hypothesis that the Orders which would be made under the 2nd clause of the Bill were Orders which would be inconsistent with our Treaty obligations. The position of the Government was, that those Orders would not be inconsistent with Treaty obligations. There was no intention to make any Orders which would be inconsistent with their Treaty obligations, and it was only by assuming that his own view was correct—which his hon. and learned Friend was not often reluctant to assume—that he could make out that these Orders would be inconsistent with their Treaty obligations. Again, let them consider the position in which they should place themselves if they admitted this Amendment. If they accepted the Amendment, they would relegate to the decision, not of the Government, not of Parliament, not of the Executive, or of the country, but of the local tribunals of this country, the question whether any of these Orders were consistent with their strict Treaty obligations. [Sir WILLIAM HARCOURT: Hear, hear !] "Hear, hear !" said his hon. and learned Friend the Member for the city of Oxford. He dared say that his hon. and learned Friend would like to argue before the Queen's Bench or the Exchequer Division of the High Court, whether a particular Order made by the Privy Council, at all events during the existence of the present Government, was or was not inconsistent with their Treaty obligations; and perhaps his hon. and learned Friend, with all his peculiar knowledge on this subject, might succeed in convincing the Court of First Instance that the Order was contrary to Treaty obligations, and he would triumph until that decision was overruled by the Court of Appeal. It did not seem to him, then, that it would be reasonable to accept this Amendment, seductive as it was, even if the object of his hon. and learned Friend the Member for Taunton, in introducing it, was not perfectly apparent, and was not, in fact, confessed. His hon. and learned Friend had stated his view was that the Bill was contrary to their Treaty obligations, and that, if it passed into law, those obligations would be broken, and that, therefore, he had hastened to bring the matter before the Committee in order that they might have a decision upon the question. He did not particularly care in what clause he inserted his Amendment, provided it was inserted in the Bill. The truth was, that his hon. and learned Friend had somewhere or other stumbled upon this idea; he was exceedingly delighted with it; and he thought it a good point. Like a child with a new doll, he could not refrain from hastening to introduce it into society; but he (the Attorney General) hoped to be able to show in a very few words that his hon. and learned Friend's point was not a good one, and that it was not a handsome doll, for when it came to be examined it turned out to be nothing but a bit of cotton filled with sawdust. He thought that everybody—at least the lawyers in that House—would agree that, unless there was in a Treaty this "favoured nation clause"—with which he should have to deal presently—there was no obligation on the part of this country to afford any facility to any other country to import cattle, or merchandize, or to do anything else. Unless they were bound by a Treaty which contained a "favoured nation clause," they might say to any country, with whom they might come in contact, or with whom they might have dealings or negotiations—"We will not admit your goods; or, we will not admit your goods, except we subject them to certain specified restrictions." Such conduct might be impolitic. He was not going to say it would not; but such conduct would not be illegal or unjustifiable by international or other law. But then he came to deal with nations who had got the "favoured nation clause," and in whose interests the hon. and learned Member for Taunton, the hon. Member for Sheffield (Mr. Mundella), and others had spoken. Let him deal with that clause. No doubt there were a great many countries with which Great Britain had entered into Treaties which contained what was popularly called the "favoured nation clause." His hon. and learned Friend the Member for Taunton had referred, and quite accurately referred, to a number of those Treaties. Now, what was the meaning of the "favoured nation clause?" He took it that in whatever language that clause might be expressed—and the language of the different Treaties was not always the same—but whatever language might be used, the real meaning of that clause was this—"You, Great Britain, shall treat us in the same way as you treat the most favoured nation with whom you have a Treaty—that is to say, you shall treat us as well as you treat them under the like circumstances." [Mr. MUNDELLA: Hear, hear!] He was glad the hon. Member applauded that view. He knew that there were some views he would enunciate which would meet with the hon. Member's approval. He hoped that all he would enunciate might meet with his approval. Really and truly, then, the "favoured nation clause" meant that which was expressed in the case of Austria—namely, that neither of the high contracting Powers or parties should establish a prohibition of importation, exportation, or transit, if hon. Members liked, against the other which should not "under like circumstances" be applicable to the third country most favoured in this respect. Now, that might be taken as a good sample of a "most favoured nation clause." ["No, no!"] No! Why, his hon. and learned Friend the Member for Taunton read that clause out as one of the principal instruments, and the hon. Member for Sheffield relied upon it. Such, at least, was his view of the meaning of a "most favoured nation clause." Of course, hon. Gentlemen could get up and controvert that doctrine if they could; but he should be astonished if any lawyer on the other side of the House should get up and state that that was not the meaning of the "most favoured nation clause." [Mr. HERSCHELL: That is only a part of it.] He should like to know, then, what was the meaning of the "most favoured nation clause?" Assuming, for a moment, that Belgium was overrun with rinderpest, and that Belgium said to Great Britain—"Oh! you have contracted to treat us as the most favoured nation. America, where there is no disease, or, at least, none to speak of, is allowed to import cattle into your country under no restriction, and we in Belgium, although we are overrun with rinderpest, ask to be allowed to import cattle, too, without restriction." ["No, no!"] That would be treating Belgium, not as the most favoured nation, but much more favourably than the most favoured nation. It would be extending to Belgium a far greater favour than any extended to any other nation. Hon. Gentlemen opposite said "No!" but he was only humbly endeavouring to point out to them the extravagant position into which their own doctrines would lead them. He would apply this clause to the importation of cattle. No doubt, it related to a great many other matters; but with respect to the importation of cattle, the "favoured nation clause" meant that as long as cattle could be imported—say, from France—without danger to this country, they might be imported, and should be treated whilst being, and after they had been, imported exactly as favourably as cattle which had come from America. ["Hear, hear!"] Hon. Members opposite who cheered would do well to wait till he had stated the whole of his proposition. That would be the position of France, as long as she was a clean country. The moment, however, France became an unclean country, would it be fair or right for France to say to Great Britain that, because the latter had entered into a certain Treaty, she must admit French cattle, although they might be the means of spreading disease throughout this country? ["No, no!"] Why, of course, hon. Gentlemen would not say that. Even the most enthusiastic supporter of the Bill could not venture to argue to the contrary—not because of the letter of the Treaty, but because the circumstances of the two countries were different. Could it for a moment be contended that some authority should not have power to prevent the importation of diseased cattle from France? Hon. Members opposite cheered the action of the Bill of 1869, which conferred such a power as he had mentioned upon the Privy Council. Did they contend that because Parliament had given that power to the Privy Council it had authorized France to be treated not as the most favoured nation? ["No, no!"] They did not contend that. But if that was not their contention, then all the Orders which had been issued by the Privy Council were justifiable. Would it not be perfectly justifiable to say to Belgium, Holland, or Germany, if in the same position as France—that was to say, if they were countries in which cattle disease was prevalent—that they should not import cattle into Great Britain until they were allowed to do so by order of the Privy Council? Then hon. Members admitted that by making these Orders this country was not infringing its Treaty obligations, or treating these countries contrary to the "most favoured nation clause." What became, then, of their contention with regard to Belgium being treated exactly as Ireland? The Government could control proceedings in Ireland, and take precautions against the spread of disease, but they could not in Belgium. If his argument was admitted so far, it was obviously competent for this country to constitute some authority or other who should declare that for a particular, or even an indefinite, time cattle should not be imported from countries which were, or probably would be, infected with disease. Then who was to judge whether they were, or would be, infected or not? Were they to relegate the decision of that question to Belgium, or Holland, or Germany, or France? Was it not the province rather of the Government, or of any authority that Parliament might authorize, to form a judgment upon that matter? Hon. Members opposite said the Privy Council might do it. The High Court of Parliament might do it if the Committee would give it the authority. Why not give it the authority? [*Laughter.*] Hon. Members might laugh; but it was as plain a proposition as was ever propounded. What was the difference between an Order made by the Privy Council and an Order made by Parliament? The only difference was, that in the one case a body comparatively small made an Order with regard to the importation of cattle, and in the other case a body that was comparatively large. It was clearly the duty of the Government to prevent anything being done which could have the effect of spreading disease over the country; and as it was given to the Privy Council to make Orders for the purpose, he saw no reason why Parliament itself should not have the same power. They made no difference between countries in which the circumstances were equal; it was only where the circumstances were not equal that a difference was made between countries. He had now explained his views on this subject. He had no doubt that they would not meet with the acceptance of some of his hon. and learned Friends on the opposite side, who were strenuous opponents of this Bill, and who seemed perfectly delighted that they had discovered this argument in reference to foreign nations. He had no doubt that these nations would be obliged to his hon. and learned Friends for the pains and trouble which they had taken on their behalf; but it was rather funny that no foreign Governments had themselves made a complaint as to the Bill in the form in which it was now before the Committee.

SIR WILLIAM HARCOURT said, that if he had been Attorney General, he should not have taken for granted that no foreign nation had complained of the Bill, and he would advise his hon. and learned Friend to inquire at the Foreign Office whether that was the fact or not? He had the profoundest respect for the opinion of his hon. and learned Friend on a matter which he had considered; but he was quite sure that hon. Gentlemen on both sides of the House, who were familiar with the provisions of this measure, must have perceived, from the remarks of his hon. and learned Friend, that his multifarious avocations, both of a public and private nature, had prevented him from reading the Bill. His whole argument was founded on the very points for which those who opposed the Bill had been contending. His hon. and learned Friend must have been surprised at the silence of those behind him, and the cheers which he received from the Benches opposite to him. But the fact was, that a more conclusive reasoning against the Bill, and in favour of everything for which they had been contending, than the speech of the hon. and learned Gentleman was never heard. What did he say? He said that French cattle, under similar circumstances, should be treated as favourably as American cattle. No wonder it was received with silence upon the other side of the House. The whole object of the Bill was, that French cattle should be treated, under similar circumstances, in a totally different way from American cattle; and his hon. and learned Friend said it was no invasion of the "favoured nation clause," because, under similar circumstances, they treated all cattle the same. He (Sir William Harcourt) would venture to make a suggestion to Her Majesty's Government. They had got into a good many scrapes in their international relations with other countries. There was the question of Extradition, and what did they do there? They came forward and told the American Government that they would not act upon the Extradition Treaty, because they were prohibited by a statute from doing so. They had had the opinion of their Law Officers and the Lord Chancellor, and they got into a very awkward mess with America. But after securing majorities in both Houses, the moment Parliament was up the Government gave way, and surrendered to America, because they could not defend the opinion of their legal authorities on that question. They then appointed a Royal Commission, who almost unanimously pronounced against their views upon the subject; and that was the end of their Extradition contest with America, and their violation of the Treaty of 1843 with that country. He would advise the Government not to get into a similar scrape upon this Bill. They might take the advice of the Attorney General, and have majorities in their favour in that House; but they would have remonstrances from foreign countries, to which they would be obliged to yield, exactly as they did in the case of their quarrel with America upon the subject of Extradition. Therefore, he thought the question was one which the Government had better deal with with considerable caution. Now, the hon. and learned Gentleman had laid down the principle, that in the "most favoured nation clause" they must, under similar circumstances, deal with all countries alike. He (Sir William Harcourt) was not going to quarrel with that proposition, though, if strictly interpreted, it would be found not to be quite correct. For instance, he would take a question which excited a great deal of interest in this country, and that was the bounty upon a certain class of sugar. They were bound to admit this sugar, under similar circumstances, from different countries; but they had great difficulty with France, where a bonus was given by France itself upon this sugar. They might have said the circumstances were not similar in a country which gave a bonus on this sugar, and, therefore, they would not admit it. But it would not be politic to maintain a proposition to that extent. However, it was not necessary, in regard to this Bill, to make that distinction, because the charge which was made against the measure was that, under similar circumstances, it did not treat all countries alike. The hon. Gentleman who had charge of the Bill said that where the Privy Council were satisfied that the laws of particular countries with reference to cattle disease were such that they might be safely trusted with respect to importation, they might admit them. That was the situation of the five countries which had been so often referred to in the course of these debates. But suppose that circumstances exactly similar should occur in reference to other countries, did they give them equal facilities of admission? No, they did not. Therefore, he (Sir William Harcourt) took the test of the hon. and learned Attorney General, and said that, under similar circumstances, they did not treat all countries alike. Suppose that in the month of September France was to pass laws which should satisfy the conditions of the Amendment of the Secretary to the Treasury, and that the Privy Council were perfectly satisfied that the cattle of France might be safely admitted. Why, what would the Privy Council be obliged to say?

"We can admit Spain, Portugal, and Denmark; but though you are exactly in the same condition we cannot admit you, and you must wait for an Act of Parliament." Was that treating countries under similar circumstances in the same manner? The Government knew it was not. The very object of the Bill was that they should not treat all countries in the same manner. The hon. and learned Attorney General said it was very "funny" that they should take this interest in foreign countries. It was not at all funny. He should have thought that the hon. and learned Member for Preston would have known that this country had some interest in the Commercial Treaty with France. He should have thought the prosperity of Lancashire in a great degree depended upon the admission, under Mr. Cobden's Treaty, of the goods of Lancashire into France. But did they suppose that they could treat France in that way, and yet maintain the exports from this country into France? Did they suppose that they could break the conditions which were the considerations for that Treaty, and that France would continue to treat them in the same manner? Therefore, he begged to tell the hon. and learned Attorney General that it was not "funny" at all that they should be interested in this matter, or that the commercial communities of this country should be interested in the maintenance of Treaties. This country had at least as great, and he believed a far greater, interest in maintaining these Treaties than the foreign countries themselves had. Take the case of the United States, which was a still stronger case than that of the five countries, because in the case of these latter the Government made the rule of slaughter the exceptional condition. They did not do that in the case of the United States whose cattle they still admitted as before. Those countries which were excluded had a perfect right to say—"What right have you to place us under greater disabilities than you place those other five countries under?" The case was well put by the hon. Member for Sheffield (Mr. Mundella) when he said that in September France might come forward and say—"We are now free from disease; we have framed our laws to satisfy your requirements; admit our cattle in the same manner as those of the five favoured nations." The reply of the Privy Council to that would be—"True, your laws are right, and you are in as satisfactory a condition as regards the disease as Spain, or Portugal, or Denmark; but Parliament has taken from us the power to admit your cattle as we have the right to admit those of other countries. You must wait nine or ten months until we can appeal to Parliament." But everyone knew that the privilege of being admitted by the Privy Council was very different from having to wait for an Act of Parliament. What a nation could claim under the "favoured nation clause" was, that there should be an immediate power under similar circumstances to admit it to equal rights with others. He entirely agreed with the hon. and learned Attorney General that foreign countries had no right to require that any particular act should be performed by the Privy Council, rather than by statute; but they had a right to require that they should be admitted to equal rights the moment that they were under similar circumstances to other nations. This was an extremely important matter; and although it might be settled by a Government majority, what would be the effect upon the prosperity of the country when foreign nations claimed to adopt a similar course with respect to other matters as England had followed in the present? He believed that the Bill threatened very seriously the foreign trade of the country, and that the moment they attacked the "favoured nation clause" they shook the foundations upon which all the foreign trade of the country relied; for it would be giving a grievance to those nations who were only too desirous of entering upon a career of Protection. Therefore, he strongly advised the Government to take warning from their experiences in times past, believing that there was a danger lurking in this clause, greater even than in the Bill itself.

THE SOLICITOR GENERAL (Sir HARDINGE GIFFARD) observed, that it seemed impossible for questions of this sort to be discussed without attacks being made upon the Law Officers of the Government. The hon. and learned Member for Oxford (Sir William Harcourt) had besought the Government not to follow the advice of their Law Officers; but the only ground on which he (the Solicitor General) could account for that suggestion was, that the hon. and learned Gentleman had been a Law Officer himself. With reference to the question in debate, it seemed to him that a short explanation of the real issue demonstrated the correctness of the views of the Government. He did not deny that the "most favoured nation clause"—which was not so modern as the hon. and learned Member seemed to suppose, but went back from 150 to 200 years—in all the Treaties in which it was found, assured equality of rights to all the parties concerned; but the mistake was to say that that involved identity of treatment. That was a fallacy into which the hon. and learned Member had, from time to time, fallen. He had argued that because two nations, to which the benefit of the "most favoured nation clause" extended, had been treated differently, there had been an invasion of the right. The hon. Baronet the Member for Chelsea (Sir Charles W. Dilke) had also fallen into the same error; for he said that the moment—by this Bill—restrictions had been placed upon one country more than upon another, there was *ipso facto* a breach of the Treaty, and that it was no answer to say that an Act of Parliament would be found to undo the wrong committed. He could follow the logic, if the circumstances of the two countries were the same. But the circumstances might be different; and in that case identity of treatment would not be right. There might be a number of countries in which the cattle plague existed. Or, take the case even of the plague affecting human life. Then, no one could say that because, by the "favoured nation clause," free ingress was permitted to one country, that, therefore, it was not right to put restrictions upon those countries from which injury to this country might come. If that proposition were stripped of its verbiage, no one would maintain so absurd a one—and that was the proposition in this case, if the words were stripped from it. The hon. and learned Member for Taunton (Sir Henry James) seemed to suppose that because there was a difference between one country and another, and an Act of Parliament was required for the one and not for the other, that therefore it was a breach of the Treaty. That depended upon two things. First of all, was it a difference of treatment that was justified by the fact that in one country cattle plague existed, and in another there was none? Second, that it was necessary, in the case of another country, from such an identity of relations—by the continuity of the railway between it and infected countries, and by other circumstances—as to give it the character of an infected country? But the circumstances were entirely different where there was a country cut off from others by the Atlantic; and to say, then, that the same treatment was to be applied to America as to France, Russia, or Germany, or any other country in Europe which was immediately contiguous to another, was to ignore the state of facts on which all legislation of this sort was justifiable. The hon. and learned Member for Taunton admitted that circumstances must be similar to make difference of treatment a breach of the Treaty. The only other question was, whether that breach of Treaty could be effected by applying an Act of Parliament in the one case, and an Order in Council in the other. The hon. and learned Member for Taunton appeared to think that there was some magic in the difference between an Act of Parliament and an Order in Council. But that there was any difference, practically, he (the Solicitor General) could not admit. There was, it was true, a practical difference to this extent—that one lasted longer than the other. But what then? He was free to admit, also, that an Order might be made in one case where it might not be made in the other. But the question they were dealing with then was not whether foreign nations had a right to interpose in the municipal matters of this country, and to say whether the most convenient form of enforcing their rights was by an Act of Parliament or by an Order of the Privy Council, but whether what the House was now doing was a breach of the "most favoured nation clause." Parliament, he admitted, must be so far responsible to foreign countries, that it must establish the facts upon which it proceeded. But suppose that Parliament, instead of arguing the question, stated in the Preamble of the Bill that, by reason of the existence of the cattle plague in a particular country, no cattle should be imported from that particular country into this for 12 months. What breach of the Treaty was there in that? The fact was, that the "most favoured nation" clause" was, in form, affirmative, but in truth negative. It bound them not to give undue favour to any particular description of countries; they ought not to be partial, or to give undue favour, to one country in derogation of the rights of another. But, in regard to the arguments on this question, it was admitted, that for the purpose of preserving the health of the cattle of this country, that this country was bound to make distinctions. It was not the Legislature or the Privy Council which made the distinction between America and France; but it was by the visitation of Providence, which rendered the one an infected country, while the other was not. It was the distinction so made which justified this country in doing what it was about to do. Then it was said that an Act of Parliament could not be undone. What he ventured to submit to the House upon that subject was, that whether a thing was done for a longer or shorter interval, whether by the Privy Council or by the superior authority of Parliament, and what was to be the degree or extent to which those restrictions should be enforced, were questions which Parliament must determine upon a review of the whole of the facts; and if Parliament should be of opinion—as it probably would be—that under the circumstances of the existence of the cattle plague in the one case and not in the other it was prudent to impose greater restrictions in the one case than in the other—and restrictions which it would take a longer time to undo—then it was right that Parliament should do so. He admitted that in arguing this question with foreign nations it would be necessary to establish the facts upon which they proceeded, and to show that it was on account of the danger to this country that they had been compelled to have recourse to this proceeding. But what difference was there between the action of the Privy Council and that of Parliament in applying the restrictions upon the importation of cattle? The hon. and learned Member for the City of Oxford (Sir William Harcourt) appeared to be better acquainted than his hon. and learned Friend the Attorney General with what passed at the Foreign Office; and told his hon. and learned Friend to be careful that he was not inaccurate in saying that there was no complaint made by foreign nations against the provisions of the Bill. He accepted the warning; but this much he would say—that this was only a principle of quarantine as applied to cattle, and with at least 150 years' experience of the "most favoured nation clause" he undertook to say that no foreign nation had ever made any remonstrance that quarantine regulations, when stringent towards one country and lax toward another, were any breach of the "most favoured nation clause." They were not in the nature of favour shown to one country or a restriction or prejudice to another; but they simply did what every nation had a right to do—namely, to protect themselves when invaded by a serious danger, which, whether done by Act of Parliament or by Order of the Privy Council, resulted in restriction being placed upon one country that was not put on the other, but which was amply justified by the circumstances of the case.

MR. HERSCHELL could not help thinking that this question was one of very serious moment. He would warn the hon. and learned Attorney General that these discussions would be read in foreign countries, and that the sort of treatment given by the Government to the serious questions arising in foreign Commercial Treaties would not be so much appreciated there as in the House of Commons. There could be nothing more important to this country than that it should scrupulously observe every engagement into which it had entered—at the present time especially, when there was too much temptation offered to foreign Governments, owing to the pressure put upon them, to break from the terms of their Treaties. The sort of arguments they had heard that night, glossing over inequalities and explaining them away, afforded reasons to other countries, which might be used to the future disadvantage of this country. He was not very sanguine about the effects of the Cattle Bill, and had not taken any strong view upon it one way or the other; and he was so little a partizan in the matter that he was not likely to be misled. To deal seriously with this question with regard to the Treaties. He quite agreed with the hon. and learned Solicitor General that equality of right did not necessarily mean identity of treatment. But he said that equality of right did mean identical treatment under similar circumstances. That was the principle for which he and those sitting on his side of the House were contending, and which they said the Bill infringed, and not the rash and absurd notions which were put into their mouths for the purpose of demolition; and he would ask hon. Members on both sides of the House to say whether the facts did not bear them out in the arguments for which they were contending? He admitted that they had a right to put restrictions upon the importation of foreign cattle for the purpose of police regulation—that was to say, they had a right to protect themselves against disease. He was not going into the question as to their right to protect themselves against the importation of human disease, for it did not now arise. But as regarded animals, he granted that there was the right to impose these restrictions, though they were bound, not merely as a matter of principle, but as a matter of practice, to treat all nations alike. His hon. and learned Friend the Solicitor General had admitted that, practically, some nations would be treated differently to others; yet he contended that, as a matter of principle, they were treated alike. In his opinion, that was not an argument which would find favour with foreign nations. It was no consolation to them that this country practically made a difference in dealing with them, while it professed in principle to make no distinction. The question was, whether there was any practical difference? In either of the two following cases they would be treating all alike—either admitting the animals of all countries, with a power to the Privy Council to exclude where disease existed or proper precautions were not taken against it; or excluding the animals of all countries, with power to the Privy Council to admit those which were free from disease. If either of these two modes were adopted, they would be dealing with all nations on the principle of equality; but that was not what they were at present doing. By this Bill they did not trust the Privy Council either to do one or the other. With regard to some countries the Privy Council was trusted to exclude or to include; but as regarded others it had no such power. If some countries were free from disease at a particular time, there was a power to permit their cattle to be imported without being slaughtered at the port of landing; but in regard to other countries, there was no such power. That was a matter of plain common sense; and to any unbiased men, applying an ordinary human understanding to the matter, it could not be shown that all countries were treated alike. If they could arrive at that conclusion by any process of reasoning, he confessed himself unable to follow them. This Bill laid down a rigid, fast rule as to certain countries. One would really suppose, by listening to the hon. and learned Attorney General and the hon. and learned Solicitor General, that they did not appear to realize that, as regarded certain countries, the Bill laid down an absolute strict line of prohibition. A country free from disease might ask to have its cattle admitted; but the Bill would not allow it except on the terms of their being slaughtered at the port of landing: while another country might ask for the same thing, and say that the same precautions had been taken, and then their cattle could be admitted without that condition. Could it be said that these two countries were being treated in the same way, and that privilege and favour was not being shown to the one as compared with the other? To that question he was not able to see that any answer could be made; for if this Bill passed, the Legislature would decree that certain specified countries might prove that they were free from disease, and by proving that, and by showing that they had taken certain precautions, might get their cattle admittance without prohibition or molestation; but another country, equally entitled to the benefit of the "most favoured nation clause," which could prove the same state of things — which could prove that its cattle had been free from disease—and which might have every title to be admitted that the other country had, yet could not be placed upon the same footing. It was idle to say that it was only a question of longer or shorter time. What was the object of passing Acts of Parliament, except to make a thing permanent? To give the Privy Council power to do a thing in one case which required an Act of Parliament to effect in the other, was much more than a difference of longer or shorter time. His difficulty in arguing this question was, that it seemed to him to be so utterly unarguable upon the other side, if the matter were stripped of technicalities. The hon. and learned Attorney General had said that it was undesirable to place the construction of these Treaties in the hands of the Courts of Law. His hon. and learned Friend did not seem very anxious that this question should come into a Court of Law; but would much rather argue before a not very impartial tribunal, and with a majority to back him, than go before a thoroughly impartial tribunal without the majority. But what would foreign countries say to the Treaties not being allowed to come under the cognizance of the Courts of Law, because it was feared that their decisions would be fatal to something in the Bill? Surely that was not a dignified or a right position for the House to take up? It was, in effect, telling the House that the matter should not be submitted to a Court of Law, because it might declare that a Treaty was violated. That was the doctrine which was put forward in the House of Commons, and it was a serious question. If they went the length of excluding all countries alike, and gave the Privy Council the same power to admit one country as another, there would be no danger in it. They were going to trust the Privy Council to act in some cases, but they refused to trust them as to others. If they were going to trust the Privy Council with certain powers in the one case, would it not be better to trust them with the same powers in all, rather than run the risk of infringing those Treaties, and perhaps coming into conflict with foreign Powers? He had no intention of occupying the time of the House at any length; but he had felt it necessary to speak on a matter which seemed to him of considerable gravity and importance. He would urge that some modification, however slight, should be made in the Bill, in order to put all countries on the same footing—excluding, if they pleased, all, but giving the Privy Council the power to admit all alike—so that no question could arise that these Treaties had not been faithfully and sincerely performed. By taking that course, they would be dealing with every country more fairly; while they would, he believed, be as effectually providing against the spread of cattle diseases, as if the Bill were to become law in its present shape.

MR. GORST said, he did not think there was any difference of opinion between both sides of the House as to the great importance of maintaining our Treaty obligations. The question upon which they were really divided was whether, if the Bill were passed as it stood, it would amount to an infringement of those obligations or not? That was a matter of very great gravity; and it had been contended by an hon. and learned Member, whose opinions on the subject the House was bound to receive with the utmost consideration, that not only the Government, but the House of Commons itself was about to deal with those obligations in a manner inconsistent with Treaties to which we were parties. For his own part, he had no doubt it was true to say that, by the engagements into which we had entered with foreign Powers, we had limited to some extent our legislative capacity. *Primâ facie*, of course, the argument was correct that a country might enact any municipal law it pleased, and might deal in a different way with the products of different nations. But, as he had just pointed out, we had limited our legislative capacity by Treaties; and the question was, whether the measure to which the Committee was now invited to give its assent was consistent with the stipulations contained in those Treaties? Now, what we had promised to do was, not to establish any prohibition of importation or transit against the produce of any country with which we had entered into Treaties containing the "most favoured nation clause" which would not, under like circumstances, be applicable to all other countries. His right hon. Friend the Chancellor of the Exchequer had stated at the beginning of the evening, and the statement had been repeated by the Secretary to the Treasury, that there was to be no prohibition of importation; but, on looking at the Appendix to the Bill, he (Mr. Gorst) found it was there provided that foreign cattle should not be imported into this country, except at certain specified wharves, and that provision he should imagine amounted to a prohibition of importation to any other places than those wharves. That was, however, a point which it was hardly worth while to argue, inasmuch as it was admitted there was to be a prohibition of transit; and he would not, therefore, take up the time of the Committee by discussing the question whether it was a prohibition of importation to provide that cattle should be landed at only one or two specified wharves. Addressing himself, then, to the prohibition of transit; they had Treaty engagements which precluded them from prohibiting the transit of foreign cattle unless under circumstances which would be applicable to all countries alike. Now he would ask, under what circumstances was the prohibition of transit to be applied under the Bill? It was to be applied to foreign animals, the landing of which at any port in this country was not for the time being prohibited by any Order in Council, and, as a consequence, to any foreign animals coming from countries with respect to which the Privy Council might not deem it necessary to make an Order. Was that a prohibition of transit, he should like to know, applicable, in similar circumstances, to every foreign country? It seemed to him that it was not a prohibition of that nature; and he felt himself obliged, therefore, to express his concurrence in the argument of his hon. and learned Friend the Member for Durham (Mr. Herschell), that the Bill, as it stood, would prohibit the importation and transit of cattle from certain foreign countries under circumstances in which their importation from other countries would be permitted. It was perfectly clear, for instance, that under the operation of the Bill, America would be placed on a different footing from other nations; and the moment the Bill became law, he contended, and before a single foreign animal was landed on our shores, or a single foreign State had complained of the provisions of the Act, a breach of the contracts into which we had entered would have been committed. Now, that was not an objection which could be urged with justice against the existing law, which was equal in its operation and did not infringe any Treaties. Parliament, he might add, had passed the present law upon the faith that the Government would not break through our Treaty engagements; for, although it had given the most ample powers to the Privy Council, those powers were given upon the faith that all nations would be treated alike. If the Privy Council used those powers to favour one nation as against another, and thus violated existing Treaties, that would be the fault of the Government, and not of the House of Commons. But if the House of Commons passed a law in contravention of stipulations which by our Treaty engagements we were bound not to touch, then the fault would rest with the House itself rather than with the Government. There was another point which was entirely different on which he wished to say a few words, and that was whether, if the Bill passed in its present shape, we were going to treat all nations alike under its operation? He would not dwell on the point at any length, because it had been distinctly shown by previous speakers that if the Bill, as it now stood, became law, it would be impossible for the Government, under certain circumstances, to treat all nations alike, or to fulfil our Treaty obligations. It had, indeed, been said by his hon. and learned Friend the Attorney General, that Parliament, which would have imposed the restrictions contained in the Bill, could remove them when it pleased; and he had asked what was the difference in that respect between the Privy Council and Parliament? Now, the answer to that question appeared to him to be a very simple one. The difference was, that the Privy Council were always, so to speak, on the spot; while Parliament was sitting for only six months in the year. If the House of Commons sat permanently, and that it could pass a Bill in a night, there would, then, he was willing to admit, be some force in the argument of his hon. and learned Friend; but it was quite clear that while the inequality which would be created would operate "immediately or unconditionally," Parliament could not act either "immediately or unconditionally." What, then, he wanted to know from the Government was, whether it was their intention to treat all foreign nations alike or not? [*Cries of* "Divide!"] If they intended to act in accordance with the undertaking given by the hon. and learned Attorney General, they would, in all probability, offend very much those hon. Members sitting behind the Treasury Bench who seemed to be so anxious for a division. But if they were prepared to face that difficulty, the Schedules of the Bill might very easily be so altered as to obviate all mistake as to their meaning.

If all nations were to be treated alike, he and those who advocated similar views would be satisfied; whether those hon. Gentlemen who sat behind them would be satisfied or not, he would leave it to the Government to decide.

MR. CHAPLIN said, that the argument which had been urged by the hon. and learned Member for Taunton (Sir Henry James), and which had been repeated by various other speakers, was that we ought not to place any country in a worse position than another in relation to the importation of cattle, or the manner in which cattle were dealt with, when they had been imported. Now, the position which we should occupy towards foreign countries, if the Bill were to become law in its present shape, would be that cattle from those countries when landed at the port of debarkation, instead of being sent to London, or any of our other great centres of industry alive, would be sent there precisely in the same form as other cattle—that was to say, in the form of dead meat. [*Laughter.*] Hon. Members might laugh; but it was admitted, by a great many persons competent to give a sound opinion on the subject, that the dead meat trade would gradually develop itself, and ultimately take the place of the live cattle trade altogether; so that, so far from being placed in a worse, the owners of foreign cattle would be in a better position than they now occupied. But if the arguments of hon. and learned Gentlemen opposite, and of one or two hon. and learned Members on the Ministerial side of the House, were acted upon, what, he would ask, would be the result? Why, that although the cattle plague might be raging in Germany, in Russia, or in any other country on the Continent, yet we should not be able to prohibit the importation of cattle from it so long as we permitted the importation of live animals from America, or elsewhere. [*Cries of* "No!"] Hon. Gentlemen might cry "No;" but that was the purport of the arguments which had been urged against the Bill throughout the greater part of the evening. It was true, he might add, that as the law at present stood the prohibition of the importation of foreign cattle was carried out by Orders in Council, and that it was proposed it should in future be effected by Statute in certain cases; but there was, in reality, no difference of principle between the two modes of prohibition, for a Statute might be repealed as well as an Order in Council. It was absurd, therefore, to maintain that in passing the Bill Parliament would be sanctioning a breach of those Commercial Treaties into which we had entered with other countries. He hoped, then, that his right hon. Friend the Chancellor of the Exchequer would adhere to the Bill as it stood; for if, as had frequently been suggested in the course of the debate, a universal discretion were given to the Privy Council in regard to the admission of cattle from all the Continental countries, he thought, for his own part, it was only right to state—and he believed he was speaking the sentiments of a great many other hon. Members as well as his own—that if such a course were adopted, it would become for them matter for serious consideration whether they would not deem it their duty to oppose the passing of the Bill.

MR. W. E. FORSTER said, his hon. Friend who had just sat down (Mr. Chaplin) had ended the few remarks which he had addressed to the Committee with a very conclusive and knock-down argument. His hon. Friend intimated to the Government that if they conceded that which the great majority of those who sat on the Opposition side of the House thought they ought in common justice to concede, he and his Friends would hesitate as to whether they should any longer support the Bill. That was an argument which he could well imagine would have considerable force with the Government. But when he came to deal with what he might call, by way of distinction, the "argumentative" argument of his hon. Friend, he was, he must confess, very much surprised to find him virtually saying—"Why make all this fuss? there is no question here of favouring one nation more than another; and it is a great mistake on the part of foreign countries to suppose that any injury will be done to them, because all their cattle will be slaughtered at the port of landing." His hon. Friend might be of that opinion; but the Representatives of foreign countries, their Ministers, cattle importers, and producers, took an entirely different view of the question, and he did not imagine that the argument of his hon. Friend was exactly that which would find favour with the Foreign

Office, when other nations came to complain that they had been placed in a position of inequality. But his hon. Friend had made some other observations which surprised him still more, for there was no one who understood the subject better. He had studied it thoroughly. He had gone through the Bill from beginning to end, and was one of the most active Members of the Committee upstairs. How, then, the hon. Gentleman could possibly contend that if discretion were given to the Privy Council to deal with disease coming from abroad as well as at home there would be any obstacle whatever in the way of their adopting the most stringent regulations in the event of the cattle plague breaking out, it puzzled him exceedingly to understand. His hon. Friend must be well aware that the Privy Council had always exercised the discretion vested in them in the strongest possible way to prevent the introduction of the plague into this country, and that if similar discretion were given them under the present Bill they would continue to exercise it in the same way. The Committee had had a most interesting legal debate that evening. He, at all events, had never listened to one with more pleasure, for the lawyers on his side of the question appeared to him to have the argument all their own way, while they were well supported by some hon. and learned Gentlemen on the Ministerial Benches; for it was no disrespect to the hon. and learned Attorney General to say that he, in reality, agreed with what had fallen from his hon. and learned Friend the Member for Taunton (Sir Henry James). But to pass from the legal aspect of the question, he would, with the permission of the Committee, deal with it for a few minutes from a business point of view. Some hon. Gentlemen opposite imagined, he supposed, that the "favoured nation clause" argument had been introduced merely as a pretext for opposing the Bill, and that those who urged it did not think much of the thing itself. If, however, those hon. Gentlemen had been engaged in trade, as he was, they would not come to that conclusion. It was, he could assure them, a matter of the utmost importance to those engaged in manufacturing industries to uphold these "favoured nation clauses;" for they were well aware that there was hardly a country in Europe which was not under the strongest pressure to find an excuse for getting rid of them altogether. It was, therefore, by no means true to say that it was because the Bill was presented to them in a form which he and his Friends did not like, they had adduced the argument of the "favoured nation clause." On the contrary, it was because they were really alarmed; and the Chancellor of the Exchequer would, he (Mr. Forster) felt satisfied, when he thought a little more over the question, admit that they had cause to be alarmed, lest by passing the Bill as it stood, foreign nations should be furnished with an excuse for doing away with such clauses. The real point at issue, then, was—would the Committee, by passing the Bill without alteration, be infringing the principle of the "favoured nation clause" or not? He would not enter into the technical legal argument, for that, as he had already said, appeared to him to be very much on one side. All he would ask was that any man of business who was present should try to fancy himself in the position of a cattle breeder or producer in a foreign country. He would take the case of Holland, because he felt convinced that it would very soon become a practical case. If the Bill were passed without change, Holland would have the strongest possible ground for complaint. The Dutch cattle producer—and the rearing of cattle was one of the chief industries of Holland—would, he felt sure, submit to almost any sacrifice to avoid the enactment of such a law, which would provide that no Dutch cattle should come inland, while American beasts would be freely admitted, unless the Privy Council saw good reason for issuing regulations to the contrary. The position of Holland at the present moment was this—that it so happened her cattle were not allowed to come here, because last year the German cattle plague was close to her frontier for a couple of weeks. It was for that, and for no other reason, that her cattle were excluded. But now Holland had the most stringent law possible against the spread of disease, and the strongest possible regulations with regard to the inspection of cattle. The importation of cattle was still prohibited there—it was a mistake to suppose that the law in that respect had been relaxed—and there were besides very stringent regulations as to animals leaving the country. In short, Holland absolutely fulfilled the conditions of the Amendment proposed by the Secretary to the Treasury, which was to the effect that the laws of other countries, relating to the importation and exportation of animals, should afford reasonable security against the importation therefrom of disease. Now, if three months hence—and, for anything he knew, the question might be asked with equal justice at that moment—the Dutch producer should find himself in a position to come to our Government and say—"Why do you admit the cattle of the United States, of Spain, and of Denmark, and exclude ours?" what, he should like to know, would be the answer of the Foreign Office? Would it be sufficient to reply—"We have passed a law, and we must exclude your cattle until that law is repealed?" There was the great difference, he maintained, between this exclusion by Act of Parliament and the giving the Privy Council a discretion in the matter, that in the former case it was impossible those foreign cattle could be admitted until Parliament thought fit to repeal the law. He contended, therefore, that we were breaking the principle of the "favoured nation clause" by such legislation as that proposed; while we were trying to comfort ourselves with the reflection that when the Bill was passed which made that breach, it would still be in the power of the Legislature to repeal its provisions. Why, any differential duty might receive the assent of Parliament on that principle. Of course, Parliament could do in the matter what it pleased; but the simple fact, nevertheless, was, that by the Bill as it stood we should be placing one foreign country in a different position from that occupied by another, and not only would the aggrieved country not obtain redress immediately, but it might not obtain it at all. The House of Commons could not bind future Parliaments; but it could lay down the conditions upon which the Privy Council were to act, and it might call them to account for the manner in which the discretion vested in them was exercised. The hon. and learned Solicitor General had spoken of the quarantine laws in illustration of his argument; but surely they told against his case. He did not know whether the power of the Privy Council to enforce quarantine still existed. He imagined it did, though it was not often used; and, in accordance with the law, the Privy Council, he believed, had authority to make regulations subjecting the inhabitants of a country in which yellow fever or plague prevailed to very stringent and inconvenient regulations as to landing at any of our ports. What should they think if a Bill were brought in which stated, as regarded America, that the Privy Council should have power to put the inhabitants of that country, in the case of yellow fever, under certain regulations, and should also have power to relax those restrictions; but that, as regarded Brazil, there should be a law that they should always be subject to the regulations, whether they had yellow fever or not. That was what was being done in the present case as regarded cattle. The Bill, as originally brought in, was intelligible. It simply provided that there should be no discretion whatever in the Privy Council. Of course, there was an enormous inconsistency in that; for the greatest possible faith was placed in their discretion with regard to the home regulations, which were the most important of the two. But as regarded foreign countries, it was provided that all the foreign cattle—of which there was a constant supply—should be slaughtered. The fact was, that on both sides of the House so much pressure had been brought to bear that the Government had been obliged to give way, and to say that countries which were clean at the present moment were to be put under the control of the Privy Council, as to the admission or non-admission of their cattle alive. But to admit that the Privy Council was to have a discretion with regard to some countries and not to others, gave the latter a right to complain that they were kept out. It was saying to them—"We do not care how free from disease you may be, or what means you have taken to suppress it, yet we will not give the Privy Council the discretion in your case which we extend to them in respect to the other three or four countries." Could it be said that countries were treated alike in such a case? To say that they were, seemed to him to be a mockery. He hoped the Government would re-consider their decision, which, he ventured to say, was one as absurd and inconsistent as a Government could well adopt in any matter.

THE CHANCELLOR OF THE EXCHEQUER said, that like the hon. Gentleman opposite, he would abstain, as far as possible, from going into an argument of a strictly legal character; but he could not avoid saying that he thought the proposal of the hon. and learned Gentleman the Member for Taunton (Sir Henry James) was not in itself one of a character which would give them any reason to place confidence in his judgment as to the best mode of dealing with the difficulties which he had suggested. He would not stay to inquire whether this was the proper mode of raising such a question; but he would ask the Committee one very practical question, arising upon the words which the hon. and learned Gentleman proposed to add to the clause. He proposed that certain provisions should be made as to the issuing of Orders in Council; and he suggested that it should be provided that no such Orders should be available if they were inconsistent with the obligations of any Commercial Treaty for the time being in force. What would be the effect of that proposal? It would be this—that, in the event of an Order being made under this Bill when it became a law, it would be competent for any person affected by it to object to its operation, as inconsistent with the obligations of some Commercial Treaty; and it would therefore be open to any person, whose cattle had been seized, to take the decision of a Court of Law. In his opinion, that would introduce an element of uncertainty; for any one who thought himself aggrieved would be able to raise a case, and carry it into a Court of Law. He would then have to submit to the Court's construction of those Commercial Treaties, and possibly, as his hon. and learned Friend had suggested, recourse might also be had to Courts of Appeal, in the event of inconsistencies in the decisions of one Court and another upon questions of this sort, and the amount of confusion and the amount of uncertainty which would be occasioned was a matter of very serious consideration. But the objection he entertained to the insertion of the words proposed by the hon. and learned Member for Taunton did not stop there; for if he only dealt with the case of the Commercial Treaties that now existed, possibly something might be said in favour of his proposition. But the words of the Amendment provided that no such Order should be carried into effect if its operation should be inconsistent with the obligations of any Commercial Treaty "for the time being in force." That was saying that the next year, or the year after, the Government might make a Commercial Treaty of which Parliament knew nothing; and when an Order was issued under the present Act the matter might, and probably would, be disputed in a Court of Law. He challenged the hon. and learned Member to deny that that was the intention and meaning of his Amendment, or, at all events, the effect of the words he proposed; and that by his proposal, after the passing of that Act, it would be perfectly competent for the Government next year, or the year after, to make a Commercial Treaty which would render the operation of the Act entirely abortive. He did not, however, wish to base the question too much on these views; he referred to them simply for two reasons. First, the very practical reason how the Committee should vote on the particular proposition submitted to it, for he ventured to say that they would stultify themselves if they passed the Amendment; secondly, because he desired to show that even if the Government were not infallible, the hon. and learned Gentleman who brought forward the Amendment must not be taken to be an infallible guide and counsellor. As he had previously observed, he did not propose to argue this question upon legal grounds, and he was anxious, so far as possible, to treat the matter as one of common sense; and looking at it from that point of view, it appeared to him that many of the arguments that had been introduced, and many speeches that had been made, were very much at cross purposes in consequence of the ambiguity of some of the expressions that had been used. Hon. Gentlemen got up and spoke of the great importance—which nobody denied—of strictly complying with the spirit and intention of those Treaties, and said that the country was bound, in all its commercial relations, to treat all foreign nations with whom it had Commercial Treaties alike. No one disputed that proposition for one moment; no one for one moment would dispute that this country was bound to treat all foreign nations alike

—but that was, alike under similar circumstances; and it was upon that that the whole question turned. A good many extracts had been read from Commercial Treaties, in which expressions had occurred such as that the inhabitants of Belgium were to have the same privileges as those of any other nation or of this country. It was perfectly true that when they were dealing with similar commodities, they were to have the same rights and privileges as the inhabitants of the United States or of any other country, and if this was a mere question of a personal character, there could be no doubt that they would be bound to concede the same rights to all. But the question was, what were the articles in which they were dealing? Were the articles similar, or were they not? Let them take books, for instance, for books were one of a few articles of which the free importation into this country was restricted. Pirated books were forbidden entrance into this country, and when it was said that France had an equal right with Belgium to import books, it was understood that the books were of the same character, and that the books were not pirated. The same principle applied to animals, and it was equally right to say that every animal from the favoured nations had a right to come into the country when under similar circumstances or in a similar position. The question was, how could the House satisfy itself upon this point? With regard to books, it could be easily ascertained in a particular country what measures were taken with regard to piracy; and much greater freedom could be permitted to a country in which they were sure that there was no piracy, than could be granted in the case of a country where there was no assurance that pirated books were not freely circulated. It was perfectly reasonable and intelligible to put greater restrictions upon the one country than upon the other, not for the purpose of excluding what was legitimate in either case, but only for the purpose of preventing what was illegal. The case was the same with regard to animals. What was required to be done was to put greater restrictions upon the importation of animals from one country than from another. It was necessary to take proper and sufficient precautions against the importation of animals which either were infected, in a diseased state, or were likely to bring disease into the country. If there were a case in which it was necessary to take greater precautions than in another, was it any breach of the "Favoured Nation Clause" to say—"We will take such precautions when they are necessary, but not when they are not?" In point of fact, the whole question came to this—What were the precautions necessary to be taken in respect of animals from any particular country? Originally, there was an idea that it would be necessary to exclude everything, and to say that there was no case in which animals could be imported with so much safety as to make it certain they would not import disease. But after further consideration, and after having listened to what had been said on the matter, the Government had come to the conclusion that there were certain countries from which it would be perfectly safe, under certain restrictions, to admit the import of animals without the danger of spreading disease. That was the case with the United States of America, and the Government were so far satisfied that animals coming from the United States of America would not introduce disease into this country, that they took it at once, as it were, from the knowledge of Parliament, and provided that animals from that country should be allowed to be imported freely into this country. But when they came to the case of the other countries, with respect to which a great deal of evidence had been given and a strong case had been made out—he meant the countries specified in the Amendment of which his hon. Friend the Secretary to the Treasury (Sir Henry Selwin-Ibbetson) had given Notice—namely, Sweden, Norway, Spain, and Portugal — the provision they made with regard to those countries was precisely upon the same ground, and made precisely in the same spirit, as the provision in the case of the United States. They believed that the evidence was sufficient to justify them in saying that they were satisfied, from the inquiries that had been made by the Privy Council, that it was safe to import animals from those countries. On that point they had come to the limit that would be safe. He was not saying that an equally strong case might not at another time be made out for another country; but the principle upon which they were going was that those countries he had named were the only ones with regard to which the evidence was sufficient to enable them safely to permit importation under any conditions. It had been said that the matter should be left to the Privy Council. But then the whole point of the Bill was touched. It was one of the main principles of the Bill to give as much certainty as possible to the operations of trade, and to give as much certainty as possible to the meat-producers of the country against the importation of disease; and the Government had come to the conclusion—and it was the theory upon which the Bill was founded—that it was not possible or convenient to leave the matter entirely and solely to the judgment of the Privy Council; but that there must be some further and more efficient means of obtaining information and forming opinions. Therefore, it was proposed that, in the case of countries generally, there should be absolute prohibition, subject, of course, to the power of Parliament, upon evidence brought before it, to alter the case with regard to any particular country if it should think fit. The whole matter reduced itself to this—which was the most convenient way of doing it? Was it most convenient to do it by Act of Parliament to be passed after proper consideration, or to leave it to the Privy Council to do it when it thought proper? That was really a most minute point, and if the whole question were to depend upon that, it was of much less importance than they had been led to believe. In his opinion, they had taken a perfectly proper course for the observance of good faith with foreign countries by the Bill as it stood, and he saw no occasion for the strong language which had been made use of with respect to the difference between leaving the House to deal with certain countries and the Privy Council with others. If they were to choose between the Bill as it was, and the proposition submitted to them by the hon. and learned Member for Taunton, which upset everything and would leave them in a condition of absolute uncertainty, he thought the House would do well to reject the Amendment.

MR. GLADSTONE desired to call attention to the marked distinction between the declarations of the Chancellor of the Exchequer and that of the hon. Member for Mid-Lincolnshire (Mr. Chaplin). The latter said it was extremely doubtful whether compulsory slaughter at the port of landing would involve any disadvantage at all. That opinion, no doubt, was given in perfect good faith, and the hon. Member seemed to think that if the Bill were passed, in the event of complaints afterwards arising, it would be a sufficient answer to those foreign countries to refer to the debates of this House, and to say that the county Members thought there would be no disadvantage in compulsory slaughter at all. But the economical doctrine which was thus set up, and which, no doubt, the hon. Member had a perfect right to maintain, was at least a matter of argument and uncertainty, for it never could be tolerated for one moment by a foreign country as a reply to its complaint; for, if it were, the purpose of Treaties would be destroyed—their object being to get rid of arguments of every kind, and substitute distinct and specific covenants, which should not be liable to be affected by views which might be coloured by prejudice, although advanced in perfect good faith. But the hon. Member for Mid-Lincolnshire went on to say that if the Bill were altered, he and those with whom he was connected would withdraw their support from it. The utterances of the Chancellor of the Exchequer were a great contrast to those of the hon. Member for Mid-Lincolnshire. How carefully the Chancellor of the Exchequer avoided giving any countenance to the view that hon. Members were to withdraw from the support of the Bill if it were altered in this respect; how guardedly he stated his case! His last sentence was, that if the question lay between the Amendment as proposed and the Bill as it stood, he was for the Bill as it stood, against the Amendment. But the question did not lie necessarily between the two. If the Government were prepared to say that they would give full effect to our Commercial Treaties, the Amendment would rapidly disappear, and the Opposition would consider what would be the most satisfactory means of giving effect to those Treaties. He agreed with the Chancellor of the Exchequer that to carry every case into a Court of Justice might be very inconvenient, as compared with the distinct legislative recognition by Parliament of the effect of those Commercial Treaties. But he thought that it would be far better that there should be opportunity for carrying every case into a Court of Justice when any question arose upon a Commercial Treaty rather than by Act of Parliament to deny to foreign countries that to which they were justly entitled. He begged to call attention to the facts respecting which they were called upon to vote upon that occasion. The Government, having refused to introduce into the Act any words which would by the direct action of an Act of Parliament allow that to which they contended some countries were entitled, now said it was far better to provide for giving them their rights through the medium of a Court of Justice than not to provide for giving them their rights at all. Were their rights withheld from them by this Bill? He would only say that that proposition had not been denied by the Chancellor of the Exchequer. The right hon. Gentleman had nowhere stated that the Bill as it stood gave equal rights to all foreign countries. He would say one word upon the doctrine of similar circumstances. He did not deny that it was a doctrine that could not utterly be excluded from discussions of this kind. But this he would venture to say, that it was a doctrine which, if admitted laxly and freely, must lead to most dangerous consequences. "Similar circumstances" were very large words; they admitted of infinite discretion in interpretation. Suppose, in negotiating a Commercial Treaty with a foreign State, they were to provide that they would not give the "Most Favoured Nation Clause," but that they would give it under "similar circumstances." Did they think that they would find any foreign country that would accept such a Treaty? The foreign country would tell them that "similar circumstances" were words of unbounded applicability—and words, in fact, which would deprive the Treaty of all favour. He had never seen such a clause and such a qualification. [The CHANCELLOR of the EXCHEQUER: Oh, yes.] If there were such a Treaty, then he granted that it would be an answer to what he had said, although he was not aware of its existence. He believed there was a case somewhat analogous in railway legislation. It was required by Parliament that railway companies should, under equal and similar circumstances, charge equal rates for all persons. But it was found that equal or similar circumstances—he was not quite sure of the exact words—allowed such unbounded discretion to the railway companies as to deprive the clause of all practical effect whatever. Let them consider for one moment the case as stated by the Chancellor of the Exchequer. The right hon. Gentleman divided foreign countries into three classes. In the first place they had America, with regard to which there were to be no restrictions whatever. It was admitted absolutely to the privilege of importation to the same extent as allowed by the present law; the power of police regulation was retained, but no other restriction was introduced against America. They next came to the five countries which had been placed under prohibition, but which were not to be brought within the discretion of the Privy Council. Did the Chancellor of the Exchequer say there was no breach of Treaty involved in the distinction introduced into the treatment of America as compared with the treatment of those five countries? It was unnecessary further for his position to argue that question with the Government. They admitted that in reserving to the Privy Council discretion to admit, and, in preserving police regulation, there was no breach of Treaty obligations. Therefore, he did not think it necessary for their purpose to say that the distinction between America and the other countries was material to the present argument. With respect to the third class of countries, they were placed beyond the pale and outside the discretion of the Privy Council. There was no power to relieve them from the prohibitions, which they thought disadvantageous — although the hon. Member for Mid-Lincolnshire (Mr. Chaplin) did not—of having their cattle slaughtered at the port of landing. The Chancellor of the Exchequer appeared to him to act very tenderly indeed with that portion of the case. He said that the distinction was of no practical importance; because, if those countries could make out a case, the Government would propose a Bill to Parliament; and that, therefore, they were not injured by the Privy Council not being allowed to have any discretion in their particular case. But, suppose that those countries at any given time, he cared not how soon, should prove that they had fulfilled every condition—had taken every precaution—and that they were in a position as good as that of the five countries which had been admitted, what was to be their case? He did not doubt what their case would be as a matter of international obligation. But as one who had been accustomed to deal with these matters as a Member of Administration, he must say that it would be a duty of the Executive Government, with or without the law, to grant immediate relief, and to break the law even for the purpose of giving it. That, he apprehended, would hardly be considered a desirable state of things. It was not desirable that Parliament should pass a law to the intent that, under a state of circumstances that might arise, it should be broken by the Government. What was the other alternative? It was that when Holland, or any other foreign country, furnished full and satisfactory proof that it had placed itself in as good a condition as Denmark, Sweden, or Norway, Government would have to say—"Although, by your Treaty, according to International Law, you are entitled to demand that your request be granted, and to have identity of right and equality of treatment if the circumstances were the same, yet we, with our eyes open, have made a municipal law which intercepts the action of the International Law, and we must wait until Parliament assembles and then abide the decision of Parliament as to whether International Law is to be fulfilled or not." When the question arose, Parliament might not be sitting. A political crisis might be brought about, and months, or even Sessions, might pass before the necessary Orders could be given. But would that be carrying out our Treaty obligations? Was the hon. and learned Solicitor General prepared to say that when the Government made a Treaty, promising the treatment of the most favoured nations, promising to give equality of rights, and therefore promising to give equality of treatment—under what circumstances was he prepared to say that the provisions of such a Treaty would be fulfilled, provided that these conditions were to be fulfilled at some time or other. Would it be equality of treatment to postpone the effect of the Treaty to some undefined period that might hereafter arrive, dependent on the discretion of the Legislative Body? Did not the Treaty mean that there should be immediate equality? What he concluded was that it did mean immediate equality. Suppose this to be a matter to be estimated by pecuniary damages—that a man who imported cattle from one of these countries suffered because of more rigorous conditions than were applied to Sweden and Norway, and that the whole loss should be paid out of the Consolidated Fund—would he not be entitled to ask for compensation for the loss imposed by compulsory slaughter, whilst the authorities were awaiting the result of an application to Parliament? He remembered a case where this adaptation of equality to circumstances was discussed in a very uncomfortable manner between ourselves and the United States of America. It was in relation to the duties on rice. This country had one duty on rice from places East of the Cape of Good Hope, and another for places on the West. The practical effect was that rice from the East Indies came in at a low rate of duty, and rice from South Carolina came in at a high rate. Philanthropists came to Lord Palmerston, and said if he would allow the rice of the West African Coast to be brought in at a low duty, it would have no commercial effect. It was not a question of granting a favour to a foreign State, because those negroes who were to cultivate the rice did not constitute a State. Therefore, he could do no harm in granting to the Natives of the West Coast of Africa the privilege of rating their rice at a low duty. Lord Palmerston granted that privilege, and he (Mr. Gladstone) remembered the sort of despatch the United States' Minister wrote to Her Majesty's Government on the subject. The English Minister pleaded that the circumstances were not equal; and further pleaded the philanthrophy of the Government, the character of these negroes, and the total want of commercial significance of the whole affair. The United States Minister replied by asking why Treaties were made? stating that they were to sweep out of the way all those ambiguous pleas, and to substitute for them clear and unambiguous terms, which might give to all the subjects of each country perfect certainty as to the law under which they were to proceed. But then, the Chancellor of the Exchequer turned round and said his hon. and learned Friend the Member for Taunton was going to introduce uncertainty into the operation of this Treaty. If that were true, if this Motion was to be taken as an assertion against the principle of the Bill, how were they to say that an element of uncertainty was introduced unless they were departing from the spirit and language of the Treaty? In what respect did it do so? His contention was that those Powers that bound themselves by the same conditions as the five countries proposed to be exempted, were entitled to equality, and equality—not at some some future and uncertain time depending on contingencies not within the control of the Government, but were entitled to immediate relief. Was that true or untrue? Yet he had not heard anything from Her Majesty's Government—any answer to that question. "Immediate equality" was actually the term contained in the Austrian Treaty, which said that privileges extended to one contracting party should be immediately and unconditionally extended to the other contracting party, with certain exceptions which had no bearing on this clause. The Treaty with Prussia, in like manner, said that the reduction of duties which either of the contracting parties might concede to a third party, should be immediately and unconditionally extended to the other contracting parties. He asked how, under the Bill, the privileges extended to some countries with which we had Treaties, could be extended to Holland or Belgium on their fulfilling all the conditions required by this country? If they demanded those privileges which were enjoyed by Sweden, Denmark, and Norway, Her Majesty's Government would have to reply that they were precluded by their Municipal Law, and by fear of the hon. Member for Mid-Lincolnshire, from granting them until they had called Parliament together to pass a repealing Act to enable them to do so. He did not raise the question as to whether his hon. and learned Friend could not have found some other portion of the Bill on which to assert this principle, because it seemed to him desirable to bring it to an immediate issue. The question they had to determine by the vote they were about to give, was whether they were content to take the Treaties as they stood, and to place them, with proper provisions, in the hands of the Executive Government for the administration of immediate justice to all countries; or, whether, on the contrary, they were to refuse them the immediate application of the principle of equality granted by the Treaty, and to refer them for justice to an independent tribunal, and at a remote period?

MR. NEWDEGATE said, that was not the first time that the right hon. Gentleman the Member for Greenwich (Mr. Gladstone) had pleaded the force of Treaties, which he himself had been largely engaged in creating, in limiting the power of Parliament in the construction of English municipal law. He (Mr. Newdegate) had felt that long ago, and had urged it in 1861, when the French Treaty was before the House, and he urged it now. At that time, he warned Parliament that a process had begun by which a Government could pledge the House, could pledge Parliament, by engagements made with foreign countries, touching matters which concerned the internal and municipal regulations of this country. What was the question now? It was, whether the Bill raised any question of International Law? His own conviction was that the measure came within a great exception. It came within the law of quarantine, which had always been held to constitute an exception to International Law. It was only that day he had been trying to discover whether quarantine law was noticed by *Wheaton*, but found that there was not a word about it in that author. He had consequently sought *M'Culloch*, and then *Blackstone*, and by both of these quarantine law was treated as a municipal law. He, therefore, thought that the Government, though he lamented the inconsistency they had introduced into the Bill by their exceptions, had not proposed any violation of the principles of International Law; for the measure was a measure of quarantine, and thus was covered by the great exception of quarantine, an exception which, commenced in the 15th century, was formulated in our laws, in the reign of George II., and now existed in an Act of George IV. Sanitary measures and means of self-defence had ever been held to form part of municipal, and not International, Law. Such was his belief. He did not go quite so far as the hon. Member for Mid-Lincolnshire (Mr. Chaplin). He should value the Bill, even if the alteration proposed were made; but he considered that the objections taken by the right hon. Gentleman the Chancellor of the Exchequer were fatal to the Amendment, and that if the hon. and learned Member for Taunton, who proposed it, now voted for it, that he would be voting for more than he had stated to the House.

SIR CHARLES W. DILKE said, there were a large number of hon. Members present who wished to take part in the debate, and he would, therefore, move that the Chairman do report Progress.

Motion made, and Question proposed, "That the Chairman do report Progress, and ask leave to sit again."—(*Sir Charles W. Dilke.*)

SIR HENRY SELWIN-IBBETSON hoped the House would not assent to the proposal of the hon. Baronet. They had now discussed this proposal at considerable length, and had heard the opinions of members of the Legal Profession on both sides of the House. He was aware that some hon. Members had been there the whole evening; but still, if they were to go on with this proposal, he did not see that they would arrive at any more satisfactory conclusion than they could at present. Looking at the period of the Session, and the slow progress that had been made with the Bill, he hoped the House would not agree to the proposal of the hon. Baronet.

MR. CHAMBERLAIN rose to support the proposal of the hon. Baronet. The fact that this question had occupied the whole evening was a tribute to the importance of the matter. It was not only of great importance as affecting the Bill generally, but it was also of great importance as affecting that portion of the Bill to which hon. Members on his side of the House took the greatest objection. On all these grounds, he thought it should be more fully considered. Many Members on both sides of the House still wished to take part in the debate.

MR. CHAPLIN trusted the hon. Baronet the Member for Chelsea (Sir Charles W. Dilke) would not press the Motion for reporting Progress at that hour—a quarter to 1. It was true that many of them had been in the House many hours, but they were prepared to stay much longer; and as to hon. Members who had only recently come in, and who had not heard the debate, there was no excuse. The question had been dealt with at great length, and it seemed to him, as they must take an opinion upon it, they had better do it at once.

MR. JACOB BRIGHT said, the hon. Member for Mid-Lincolnshire (Mr. Chaplin) seemed to think that this question concerned the House alone. It concerned the country as well as the House, and to discuss it at 1 o'clock in the morning was not to discuss it in the eyes of the country. It was said the lawyers had expressed their opinions. Well he valued the opinions of lawyers, and he hoped that on the morrow they might have more such opinions; but other hon. Members of the House were also taking a strong interest in the way the Government was dealing with existing Treaties — Treaties which affected the commercial interests of this country. If our Treaties were broken, then what became of our great commercial relations with other countries. The question of Treaties ought to be further considered, and he ventured to say that it could not be considered at that period of the night.

Question put.

The Committee *divided*:—Ayes 101; Noes 222: Majority 121.—(Div. List, No. 219.)

MR. J. HOLMS moved that the Chairman do leave the Chair. It appeared to him that the position they were in, in relation to the question, was one which should induce the Government to give them some time for consideration of the matter. The concessions of the Government had left them in a position which he could not call anything else than an absurdity. Their position was this—that five countries were to be admitted, as the Government now agreed, provided only that those countries could satisfy the Government that disease did not remain in their midst, and that their laws were such as would give a reasonable guarantee that disease would not be allowed to exist there. All other countries, even though they had proved themselves to be perfectly free from disease, were not to have the privilege. But, since that time, a large question had been raised as to Commercial Treaties, and the legal points of that question had been discussed very ably by the lawyers in the House; but he did not think that the business men in the House had discussed it from their point of view, or were quite prepared to discuss it at that moment. Therefore, in their own interests, he considered that an adjournment should take place.

Motion made, and Question proposed, "That the Chairman do now leave the Chair."—(*Mr. J. Holms.*)

THE MARQUESS OF HARTINGTON said, that before the Government answered the Motion, he should like to ask them to consider whether it would not be desirable that they should take a few hours' time to consider this question. They had had a discussion before that evening, when, after three or four hours' debate, the Government had come to the conclusion that the Opposition were right in the point which was being discussed; and he was not at all sure that the Government might not, after a little time, come to a similar decision. He grounded that opinion on the tone which had been taken by the Chancellor of the Exchequer in the observations he had made. If the right hon. Gentleman could now see his way, on the next day, to make some statement as to the intentions of the Government in carrying out what he was sure it was the wish of the Government to carry out, he thought it was very possible that they might arrive at a satisfactory conclusion upon the matter. If the Government insisted, supported as they were by their great majority in going to a division on the Amendment that night, he must warn them that it would be inevitable that the question should be raised again in a different shape and at different periods during the progress of the Bill. He did not think that the Government would make any real progress by carrying their point that evening, and he thought that a very great advantage would be gained by a little delay, in order to consider the arguments that had been raised.

THE CHANCELLOR OF THE EXCHEQUER said, there were two points on which he must differ from the noble Lord. He did not at all agree with him as to what had taken place at an early hour of the evening. The noble Lord had said that, after several hours of discussion, the Government were convinced that the Opposition were right. The Government were never convinced at all. They did not think the Opposition were right; but, for the sake of getting on and allowing a discussion to be raised in any form that might be thought desirable by Members of the House, they agreed to an arrangement which would enable Motions to be made which they stated at the beginning of the debate they should object to, and which they thought were wrong. He himself also demurred to what the noble Lord had said with regard to his own argument in answer to the hon. and learned Member for Taunton. He certainly thought that the proposal of the hon. and learned Member was, upon its own merits, one that the Committee could not accept, and he also contended that the provisions of the Bill were provisions in accordance with the spirit of their Commercial Treaties, and he saw no reason at all to depart from that opinion. He still thought that it would be possible at that hour to go on with the Amendment of the hon. and learned Member at all events, which he thought they had sufficiently discussed, and which they might now vote upon. He did not think the Government could press the Committee to go on with new matter; but he believed they would do well to dispose of that Amendment. That being done, the Government would be willing to consent to report Progress.

Question put.

The Committee *divided*:—Ayes 83; Noes 195: Majority 112.—(Div. List, No. 220.)

MR. ANDERSON said, that the present position of the Government might be described as being that of between the devil and the deep sea. They had on the one side, the bucolic Party, represented by the hon. Member for Mid-Lincolnshire, and, on the other side, they had all the Treaties with foreign nations, which might not be violated with impunity. They, on that side of the House, were at present the only mouthpiece for the foreign Treaties. They felt the greatest sympathy for the Government in the position into which they had got, and they felt bound to give them a little time to consider how they could best get out of the scrape. The right hon. Gentleman opposite told them a little time ago that at an earlier period of the evening he did not admit that the Opposition were in the right, and that he was in the wrong; but, in spite of that, he had conceded a compromise, and he admitted that he had acceded to their view for the purpose of getting on with the Business. Well, if he was obliged to take that salve to his conscience, they would freely give it to him even again. Let the right hon. Gentleman on this point also make some arrangement for getting on with the Business, and they would give him until to-morrow, when he would be able to come down to the House to propose some plan, some modification of the proposal of the hon. and learned Member for Taunton (Sir Henry James) which would secure to them the result they wanted. If he would give them some practical result, they would not care how it was brought about, or what words he might use in doing it; and, therefore, with a view of giving the Government that opportunity, he would move that the Chairman do report Progress.

Motion made, and Question proposed, "That the Chairman do report Progress, and ask leave to sit again." — (*Mr. Anderson.*)

THE CHANCELLOR OF THE EXCHEQUER said, of course, it must be obvious that if these Motions were to be repeated over and over again, then they had no alternative between keeping a House and doing nothing, and accepting the adjournment; and, therefore, he would consent to report Progress.

Question put, and *agreed to.*

House *resumed.*

Committee report Progress; to sit again *To-morrow.*

ADMIRALTY AND WAR OFFICE (RETIREMENT OF OFFICERS) BILL.

(*Sir Henry Selwin-Ibbetson, Colonel Stanley, Mr. William Henry Smith.*)

[BILL 169.] COMMITTEE.

[*Progress 12th July.*]

Clause 2 (Limitation of amount of gratuity).

MR. PARNELL, in again proposing as an Amendment, in page 2, line 22, to leave out the words "with the possibility of further promotion," said, he hoped the Government would be able to tell the House what conclusion they had come to with regard to the Amendment. He found he was under a misapprehension in supposing that the Government intended to dismiss the supplementary clerks, and that they intended to keep them on, though the clerks might wish to retire under the superannuation. He was at a loss to know why these clerks were not allowed the same privilege as others as regarded superannuation. They had been a long time in the Office, they had to perform duties which required the greatest knowledge and capacity, and they had been in receipt of exceedingly small salaries for a great number of years. They could obtain no further promotion, and the Government simply wanted to retain them in the Office on account of their capacity for work. Under the circumstances, they either ought to be put on the same footing as the other clerks, and obtain promotion, or they ought to be allowed to retire under the provisions of the Superannuation Act. He had received a letter from one of these gentlemen, who said—

> "I must confess to being thoroughly disheartened and disgusted. As a body, we feel ourselves to have been for years past absolutely and entirely ignored. What I desire is to be allowed to take my hard-earned pittance and go."

That was a gentleman who had been in the Office for over 20 years, and his experience was the same as that of many others. His salary, as was the case in all supplementary clerkships, was exceedingly low, and as to retiring allowance, he really did not know what he would have when he did retire. At present the Government did not propose to retire them, but to keep them on at a miserable rate of pay, and without any prospect of promotion.

Amendment proposed, in page 2, line 22, to leave out the words "with the possibility of further promotion."—(*Mr. Parnell.*)

Question proposed, "That the words proposed to be left out stand part of the Clause."

COLONEL STANLEY said, that he had gone into the case of these gentlemen very carefully; but he must remind the Committee that the first complaint which was made about the supplementary clerks was that they were about to be retired invidiously. Now, as he understood the hon. Member who had stated their cause, their complaint was that they were not at liberty to avail themselves of the provisions of the Bill. Now, he must remind the Committee that this was a Bill for making extra grants to certain clerks for the purpose of retirement, and not to give extra pay to those who remained. It was not proposed in any way to interfere with the supplementary clerks, and it was not considered necessary in the interests of the Public Service compulsorily to retire any of them. Consequently, it would not be in the public interest or in the interest of economy that these gentlemen should be brought up in connection with a measure by which it was proposed to give gratuities to those clerks who were compulsorily retired. He found it his duty, therefore, having carefully examined the matter, and having found that the engagement under which these gentlemen consented to serve had not been detrimental to their interests, to say that he did not consider it his duty to assent to the Amendment.

MR. MELDON said, it was now proposed to superannuate a certain number of persons whose services were not worth retaining; and, at the same time, the Government were going to impose upon those whom they did wish to retain a different system of superannuation. While they were going to give gratuities to those officers whom they did not wish to retain, they refused them to those public officers who had deserved most at their hands. That was the principle of the measure, and it was a most extraordinary one. If it were to be the practice in the Public Service to give those who were undeserving more inducements to leave, than to those who were deserving to remain, he thought that those who had deserved well of the Public Service were treated very badly.

MR. PARNELL considered the statement of the hon. and learned Member for Kildare (Mr. Meldon) to be perfectly correct, and that the Government selected a number of the most inefficient clerks in the Establishment for the purpose of retiring them compulsorily. They gave them the gratuities they were entitled to under the Superannuation Act, and, at the same time, they kept the supplementary clerks in the Service, because they had the most knowledge and the most capacity, and would not give them the benefit of the Act.

Question put.

The Committee *divided:* — Ayes 51; Noes 17: Majority 34.—(Div. List, No. 221.)

MR. O'SHAUGHNESSY moved, as an Amendment, to add to the end of the clause the words—

> "Provided, That in the case of clerks who have served in a class the maximum of which exceeds £400, such clerks shall be considered to have served in a qualifying class in respect of that portion of their service during which they have received a salary exceeding £400 per annum."

The explanation of his Amendment was as follows:—Persons who were entitled under the 2nd clause were those who had served in a qualifying class. Now, there were a certain number of men in these Offices, who, up to a certain time, had belonged to a class, the maximum of which only came up to £300; they were afterwards raised to the second class, the maximum of which was £500; and the result of their promotion in reference to that Bill was that they could only claim in respect of the period during which their salary was £300, and could make no claim for the time when it was £500. The disparity between the two arose from the fact that a junior class was created in 1870 of men beginning at £100 a-year, while the men in the older class had begun at only £90 a-year. The new men got an increase of £10 a-year, while the old men only got an increase of £15 in 10 years. He understood that the entire cost of the change he proposed to make would not be more than from £2,000 to £3,000.

COLONEL STANLEY said, that by the hon. Member's courtesy, he had had an opportunity of thoroughly examining into his scheme; but he found that he was unable to accept it. He would only remark that the cost, he was sorry to say, could not be brought within the dimensions stated by the hon. Member; and, so far from it being only £1,000 or £2,000, it would be a matter of £12,000, which fact placed it in a somewhat different light, when the economic claims of the scheme were considered. But that was not all. These gentlemen, by being in a higher class, found themselves debarred from some of the advantages which attached to those in the £400 class.

SIR JOSEPH M'KENNA said, if that were the case, he did not see how the Amendment could be pressed.

MR. O'SHAUGHNESSY said, he was not aware it would have involved so large a sum as £12,000. He asked to be allowed to withdraw.

Amendment, by leave, *withdrawn.*

MAJOR NOLAN wished to say a word about the general policy of the clause. He knew something about the subject, having given great attention to the retiring scheme. The clause embodied to a very great extent the principle of the Bill. The effect of the clause would be to induce clerks to retire at the end of 20 years' service, and that would be to bring about, on a larger scale, what existed in the Army. The effect would be that the clerk got no benefit, and the country got no benefit. The middle classes only got the benefit at the expense of the working men and artizans. He objected to the system altogether, as he believed it was simply multiplying cases of men drawing public money and doing nothing for it, and he believed it was an exceedingly bad scheme.

MR. W. H. SMITH said, that the hon. and gallant Gentleman was entirely mistaken as to the bearing of the Bill. The Bill was only to be in effect till 1880—18 months longer. It was only to effect a necessary reduction in the Service, both in the Admiralty and the War Office, and to produce a very desirable economy. It would not be an immediate economy, but would come into effect in 10 years' time, when there would be a corresponding increase of efficiency. It was necessary that they should remove a number of gentlemen who were far superior to the work they had to do, and replace them by men who were more fitted for it.

Clause *agreed to.*

Clause 3 (Certificate of retirement from service) *agreed to.*

Clause 4 (Gratuities to be in addition to ordinary superannuation allowance).

MR. PARNELL, in moving, as an Amendment, in page 2, line 43, to leave out "one-half," and insert "two-thirds," explained that the Superannuation Act of 1859 provided a scale of retiring allowances and pensions in accordance with the number of years' service. A man was to have an allowance of ten-sixtieths if he had served for 10 years, and the allowance went on increasing by a sixtieth each year. Now, the Government proposed to give a gratuity in addition to the retiring allowance. As this was a case of compulsory retirement upon a very large scale, he thought it would be only fair to give all the clerks who were to be retired compulsorily two-thirds of the salaries they were receiving, instead of one-half. He did not know what the effect of it would be upon the financial arrangements of the Government, but he did not think it would be very serious. It would have a very good effect upon the clerks, who would look with much more favour on the Bill than heretofore.

SIR HENRY SELWIN-IBBETSON regretted very much that the Government seemed always to be refusing Amendments proposed by hon. Members opposite. But if the Committee would reflect upon the terms offered by the Bill, they would see that they were very liberal. The compensation of two-thirds was the amount received after a full term of service. If a man had served for 30 years, he would receive thirty-sixtieths; whereas, if a man had served for only 20 years, by the action of the Bill, if he were compulsorily retired, he would also receive thirty-sixtieths.

MR. PARNELL said, that his point was that whereas a man with a large salary would get two-thirds, one with a small salary would only have one-half.

SIR JOSEPH M'KENNA thought the case might be met by substituting three-fifths for two-thirds. He thought the hon. Gentleman would find that it was quite right to have the power of making a large allowance.

MR. W. H. SMITH regretted that the Government could not accept the Amendment of the hon. Member for Meath. The fact was, that the Bill was a very large extension of the present arrangements, and if it was intended to weight it more heavily than it was at present, it must break down. Looking at the salaries of the clerks, and at the terms proposed under the Bill, he thought it was most liberal.

Amendment *negatived.*

Clause *agreed to.*

Remaining clauses *agreed to.*

House *resumed.*

Bill *reported,* without Amendment; to be read the third time *To-morrow.*

MR. W. H. SMITH stated, that on the third reading, he proposed to move an Amendment increasing the sum of £400 to £420. That would have the effect of including some gentlemen who were going to retire and who would otherwise be excluded from the Bill.

SUPPLY.—REPORT.

Resolutions [15th July] *reported.*

First Resolution *postponed.*

Second to Ninth Resolutions, inclusive, *agreed to.*

Tenth Resolution.

MR. MELDON hoped that the Vote would be withdrawn until they had some more information upon this subject.

MR. J. LOWTHER said, the Committee had already discussed the matter most exhaustively. He had stated that it was his intention to look into the whole question; but the longer the hon. and learned Member for Kildare insisted upon his (Mr. Lowther's) presence there, the longer he would be prevented from visiting Ireland and making his investigation. He hoped, therefore, that the hon. and learned Gentleman would allow the Vote to be taken.

Resolution *agreed to.*

Remaining Resolutions *agreed to.*

Postponed Resolution to be considered upon *Monday* next.

EAST LONDON RAILWAY (PAYMENT OF DEBTS) BILL.

Ordered, That the East London Railway (Payment of Debts) Bill be referred to a Select Committee, Three to be nominated by the House, and Two by the Committee of Selection.

Ordered, That, subject to the Rules, Orders, and Proceedings of this House all persons affected by the said Bill have leave to appear by their Agents, Counsel, and Witnesses in support of any Petitions which have been presented praying to be heard against the Bill, and Counsel heard in favour of the Bill against such Petitions.

Ordered, That the Committee have power to send for persons, papers, and records:—That Four be the quorum of the Committee.

And, on July 17, Mr. STEPHEN CAVE, Sir HENRY JACKSON, and Mr. SAMPSON LLOYD, *nominated* Members of the Select Committee.—(*The Chairman of Ways and Means.*)

COLLECTION OF RATES (DUBLIN) (NO. 2) BILL.

On Motion of Mr. MELDON, Bill for amending the Law relating to the Collection of Rates (Dublin); and for other purposes, *ordered* to be brought in by Mr. MELDON and Major NOLAN.

Bill *presented,* and read the first time. [Bill 264.]

CONTAGIOUS DISEASES (ANIMALS) [SALARIES, COMPENSATIONS, &C.]

Committee to consider of authorising the payment, out of moneys to be provided by Parliament, of Salaries and Allowances of Officers and persons acting in the Veterinary Department of Her Majesty's Privy Council Office; and of the Charges and Expenses incurred in the maintenance and management of that Department; also of authorising the payment of Compensations, whether out of moneys to be provided by Parliament, or otherwise, which may become payable under the provisions of any Act of the present Session for making better provision respecting Contagious and Infectious Diseases of Cattle and other Animals (Queen's *Recommendation* signified), *To-morrow.*

House adjourned at half after Two o'clock.

HOUSE OF COMMONS,

Wednesday, 17th July, 1878.

MINUTES.] — PUBLIC BILLS — *Resolution in Committee* — Contagious Diseases (Animals) [Salaries, Compensations, &c.]

Second Reading—Metropolitan Board of Works (Money) * [251].

Committee—Contagious Diseases (Animals) [204] —R.P.

Committee—Report—Police Expenses Act Continuance * [256]; Corrib (Galway) River (*re-comm.*) * [225-265].

Considered as amended—Drainage and Improvement of Land (Ireland) * [227].

Withdrawn—Irish Peerage * [78].

ORDERS OF THE DAY.

CONTAGIOUS DISEASES (ANIMALS) [SALARIES, COMPENSATIONS, &c.]

Considered in Committee.

(In the Committee.)

Resolved, That it is expedient to authorize the payment, out of moneys to be provided by Parliament, of Salaries and Allowances of Officers and persons acting in the Veterinary Department of Her Majesty's Privy Council Office; and of the Charges and Expenses incurred in the maintenance and management of that Department; also to authorize the payment of Compensations, whether out of moneys to be provided by Parliament, or otherwise, which may become payable under the provisions of any Act of the present Session for making better provision respecting Contagious and Infectious Diseases of Cattle and other Animals.

Resolution to be reported.

Motion made, and Question proposed, "That the Report be received To-morrow."—(*Sir Henry Selwin-Ibbetson.*)

Mr. W. E. FORSTER asked, whether it was the intention of the Government to take this Bill to-morrow? His reason for making the inquiry was that there was a difference of opinion. So far as he was concerned, he understood that the Education Estimates were coming on to-morrow, and he begged to ask the Chancellor of the Exchequer if that were so?

The CHANCELLOR of the EXCHEQUER said, the right hon. Gentleman was quite right in his supposition. They did fix the discussion of the Education Estimates for to-morrow, and it would be very desirable to take them then. That arrangement was made with the anticipation that the discussion on the Contagious Diseases (Animals) Bill, which was to begin yesterday and to be continued to-day, might be continued in such a manner as to arrive at a reasonable result and enable them to suspend the proceedings for Thursday, to take the Education Estimates and finish the Committee, as he had hoped, on Friday. But if they were to have a repetition of the sort of discussion—["Oh!"]—which they had last night—he, for one, would not say anything as to the character of that discussion, which might be very proper—but if they were to have a repetition of it, he did not see any probability of their being able to keep to their programme. In that case, he should be obliged to proceed with the Bill *de die in diem.*

Sir CHARLES W. DILKE begged to move the adjournment of the House. The Chancellor of the Exchequer must be aware that the victory which was gained over the Government last night was a most complete justification of the course taken by the opponents of the Bill; and the manner in which they had allowed the Resolution to be carried without a single word of debate, showed that they were prepared to accept a proper Resolution if it had been submitted to them. He protested against any change being made in the arrangements for taking the Education Estimates to-morrow, as hon. Gentlemen had made their arrangements on the understanding that those Estimates would then be taken. The reason assigned for the Bill being taken to-morrow was that great progress was not made last night. Now, was there any obstruction? Was there any debate on questions which were not deserving of full consideration? The right hon. Gentleman knew thoroughly that the debates on the Bill had not extended to the length which the importance of the subject justified; and it should be borne in mind that the Government allowed four hours of debating before they made the concession, which, if it had been offered earlier, would have greatly facilitated the progress of the Bill. The Government did not seem to be very keen about proceeding with the Bill; for, although they had taken the day from private Members, there had not been a single Member of the Government at prayers. Only two of the supporters of the Bill had been at prayers, and no Member of the Cabinet made his appearance till 25 minutes after 12. It was only by the exertions of hon. Members opposed to the Bill that a House had been made. There could be no reason for proceeding with the Bill to-morrow.

Mr. DILLWYN seconded the Motion.

Motion made, and Question proposed, "That this House do now adjourn."—(*Sir Charles W. Dilke.*)

After explanations from the Chancellor of the Exchequer,

Motion, by leave, *withdrawn.*

Original Question put.

Ordered, That the Report be received To-morrow.

Mr. W. E. FORSTER hoped the Motion would not be persevered with, though he was not surprised that it had been made. He confessed that he was much surprised at the observations made by the Chancellor of the Exchequer. It was true the right hon. Gentleman had, in effect, said that he did not mean to cast any imputation upon the proceedings of the Opposition; nevertheless, the observations of the right hon. Gentleman did convey a very serious imputation upon the proceedings of hon. Members on the Opposition side of the House in relation to the Bill in question. Surely there should be allowed the most perfect freedom of debate upon a question of such immense importance as this was? About four hours of the debate yesterday might have been saved if the Government had made the concession sooner which they had afterwards felt themselves compelled to agree to. Then there came on a most important question affecting our international obligations, upon which considerable discussion took place. That discussion, he submitted, was fully justified by the extreme gravity of the question and the course taken by the Government. Nevertheless, the Chancellor of the Exchequer seemed to think that the conduct of the Members who took part in that discussion was of an obstructive character, although such discussion did not really commence until 9 o'clock last night.

MR. CHAPLIN said, he was not going to make any charge of undue obstruction against hon. Members opposite; but if the question of international obligations raised by the hon. and learned Member for Taunton (Sir Henry James) was of such extreme and vast importance, why had the adjournment of the House been moved the moment the House met? How was it, again, that during the four days' debate this question of international obligations had not been raised?

MR. W. E. FORSTER rose to explain. It was quite true the point had not been raised on the second reading of the Bill, because the main point of difference did not then appear. Since the Government had made the concession with regard to the five countries, the point had been referred to.

MR. GLADSTONE said, he could give an answer, in some degree, to the challenge of the hon. Member for Mid-Lincolnshire (Mr. Chaplin). He had taken a very great interest in the Bill, and had felt the great difficulty of the question. Many communications had been made to him about it; but he had felt that there were many Gentlemen better able to enlighten the House on the general provisions of the Bill than he was. He owned he agreed that this question of the Treaties might have been noticed on the first introduction of the Bill, and there were Friends behind him who would bear witness that, though he had said nothing on the point, he had urged them from the first to introduce this question of the Treaties. He felt the most perfect conviction that this measure was inconsistent with the Treaties. Although the introduction of this point in the debate had been very late, he suspected it would be found to have added very considerably to the difficulties of dealing with the question; because those who had the conviction, as he had, that the Bill was contrary to Treaties, were not justified, in a matter of such extreme importance, in resting content either with a single debate or a single decision of the Committee. It was their duty to exert themselves to the utmost to bring home to the House the nature of the proposal that had been made by the Government, and they could not do that without entering freely and, if need were, repeatedly into a discussion of the question. Considering that several hours had been spent last night on a subject of International Law and obligations, he had never known more unfortunate language used, tending, in its nature, to a breach of freedom of debate, than the language of the Chancellor of the Exchequer to-day. If they were to have such discussions as that of last night, then special measures must be taken to facilitate the Bill, said the right hon. Gentleman. Now, there was no doubt about the Parliamentary meaning of these words, although that meaning might not have been present in the right hon. Gentleman's mind. And, until answers were forthcoming far more cogent and pointed, and going far more directly to the case in hand, than the answers given last night, the Government might rely upon it that they would be challenged again and again to say how they reconciled the provisions of the Bill with the obligations of the country under certain Treaties? He might be allowed to make a protest, on behalf of liberty of trade, in a case of the very highest importance, and of international importance, where our good relations with foreign countries and where our reputation for honour and good faith were concerned; and he might also be allowed to protest against any attempt to limit the freedom and largeness of debate, which the raising of such a question not only justified but rendered necessary.

Mr. NEWDEGATE was far from denying that the question raised by the hon. and learned Member for Taunton (Sir Henry James) was of the greatest importance; but previous to that question there had been something like obstruction. He did trust, however, that there would not be obstruction hereafter. He must say that, considering in the House of Lords the United States were excepted, so far as their cattle was concerned, from internal arrangements which it was intended to apply to other cattle——

Mr. SPEAKER: I wish to point out to the hon. Member and to the House, that any discussion of the Contagious Diseases (Animals) Bill on this occasion would be altogether out of Order. I must remind the House that the Question immediately before it is the adjournment of the House.

Mr. NEWDEGATE said, perhaps he was travelling a little farther than the right hon. Gentleman. He believed this to be a very important question, and he hoped the House would give the agricultural body, which was prepared to submit to severe restrictions, fair play.

The CHANCELLOR of the EXCHEQUER said, he wished to make a few observations on the remarks of the right hon. Gentleman (Mr. Gladstone), who, he regretted to see, had left the House. The remarks he had made a few minutes ago in reply to the right hon. Gentleman the Member for Bradford (Mr. W. E. Forster) had been misunderstood. He did not intend for a single moment to deny that the question raised in the discussion yesterday with regard to our foreign relations was a matter of very great importance. He did not deny that it was one properly entitled to discussion on the part of the House. What he did point out was that the manner in which that discussion was carried on and brought to a conclusion would render it necessary for the Government, if they were to continue to proceed in the same way as yesterday, to take more time for this Bill than they anticipated would be necessary, and therefore it was that they proposed to go on with the Bill to-morrow. He did not for one moment deny that the Amendment of the hon. and learned Member for Taunton (Sir Henry James) was one which he had a perfect right to bring forward, nor did he say that the speeches made upon it were not to the point. The debate was a very full one, on the part especially of the legal Members of the House; and he thought he might say that the Amendment of the hon. and learned Gentleman had been very freely discussed on his own side, and that a vote might have been come to in the course of the hour or hour and a-half which had been occupied by Motions for the reporting of Progress and for the adjournment of the House. In making use of the observations to which reference had been made, he did not wish in any way to interfere with a fair and full discussion of the point which had been raised. He was perfectly prepared to hear the question debated on another occasion, as he did not doubt it would be; but he would remind the House that the Question before them was one for adjournment, upon which they might spend an hour or an hour and a-half, although it had nothing whatever to do with the merits of the Bill. They were then, he said, in a position which perfectly justified the language which he had ventured to use. He said again that they desired to make progress with the Bill without in any way shrinking from, or wishing to interfere with, fair and full discussion; but if they were to be met with Motions for reporting Progress and for adjournment in the manner they had been, they would be obliged to ask the House to allow them to devote to it time which they had hoped to apply to the furtherance of other Public Business.

Sir HENRY JAMES concurred with the right hon. Gentleman that an unnecessary Motion for adjournment ought not to be made; but he would remind the right hon. Gentleman that the observations he himself made were the occasion of the Motion before the House, which was further justified by the remarks which the right hon. Gentleman had just added when he desired to be conciliatory. The right hon. Gentleman said the manner in which the discussion arose last night, and the consequence of what then occurred, justified the observations he had made. Well, he believed that everyone on that side of the

House, who took part in that debate, was prepared to accept the responsibility of what occurred. That the question was an important one was admitted. Her Majesty's Government maintained that the Bill did not amount to a breach of Treaty obligations. On that side of the House they were as firm in their view that it did. If the right hon. Gentleman the Chancellor of the Exchequer desired to maintain Treaty obligations, he might, by accepting the Amendment, render a renewed and perhaps prolonged discussion of the question unnecessary; but until that point was established, they would be a little sensitive in respect of the tone and manner of such a rebuke as the right hon. Gentleman had administered to them.

SIR HENRY SELWIN-IBBETSON had no hesitation in saying that a wrong interpretation had been put upon the observations of his right hon. Friend, and that they ought not to convey—and were not intended to convey—the meaning which had been attributed to them. For his own part, he never said—nor had any Member of the Government ever said—that they should insist on their proposal even if they believed that it amounted to a breach of Treaty obligations. What they did say was that they believed firmly that the clause did not, and would not, in any way violate those obligations. They had endeavoured to show that the action of Parliament was that to which they should alone look in respect of the regulations to be made with reference to cattle imported, and to the Privy Council as the agents for carrying out those regulations; but he did not say, nor did he even hint, that if the Government believed or thought that any part of the Bill would lead to a violation of Treaty obligations, they would insist on its adoption. On the contrary, they believed that no violation of Treaty obligations would occur under the Bill. The Government did not object to a full discussion of the question which had been raised; but they said that as, in consequence of that discussion, the Committee would occupy a longer period than had been contemplated, they would require to devote to it, if necessary, time in which they had hoped to make progress with other Business.

MR. J. COWEN said, the Chancellor of the Exchequer complained of the discussion which had arisen that morning on the Motion of his hon. Friend the Member for Chelsea (Sir Charles W. Dilke); but he thought the right hon. Gentleman should take upon himself the blame arising from the fact. The right hon. Gentleman knew that when the Resolution which was discussed last night was submitted as amended, it was agreed to without a word, and he would remember that when asked a question as to the consideration of the Report to-morrow, he answered the question, but put a sting in his answer. He did not suppose the right hon. Gentleman meant it; but the answer did imply that hon. Members on that side of the House were worthy of censure for what occurred last night. Now, his constituents were as much, if not more, interested in the Bill than any other constituency in the Kingdom, and yet, though the debate on the second reading of the Bill lasted four nights, he had not uttered one word on the subject, nor did he do so until the special interests of those whom he represented were about to be affected. It was, therefore, he thought, rather unfair to make such a charge as that to which reference had been several times made. The issue of the discussion he had taken part in yesterday was a proof that they were perfectly justified in having raised it, as it had resulted in a concession on the part of Her Majesty's Government. Many hon. Gentlemen considered that this Bill would seriously injure the interests of those places which they represented. That was a matter of opinion; but they believed in that opinion, and they were justified in making every attempt to enforce it. He was satisfied that the Chancellor of the Exchequer or any other right hon. or hon. Gentleman who was in favour of the measure would not gain the end he had in view by attempting to impute that the opponents of the Bill desired unnecessarily and unwisely to obstruct its progress.

COLONEL KINGSCOTE said, he was one of the majority which had voted against the Motions for reporting Progress and for adjournment last night, and he had now to express a hope that Her Majesty's Government would proceed with the Bill until they got it through. It was a measure which would not bear putting off for another Session. It had been said that last night was not sufficient for the discussion of the

Amendment of the hon. and learned Member for Taunton (Sir Henry James). Well, looking to the condition of the House at that moment, he thought there were very few Members who wished to continue the discussion, and that it might have been concluded last night in the time occupied by the Motions to which reference had been made by the Chancellor of the Exchequer.

Mr. CHAMBERLAIN could not think that the hon. and gallant Member had any authority to speak for hon. Members on that side of the House. He (Mr. Chamberlain) considered the imputations which had been thrown out as to the conduct of the opponents of the Bill extremely offensive, and as indicating an intention on the part of Her Majesty's Government to use their great majority to force the Bill through the House at all costs, without permitting to Members whose constituents were strongly interested in the Bill an opportunity of discussing fully its provisions. The hon. Member for Mid-Lincolnshire (Mr. Chaplin) was of opinion that six hours were too many to devote to the consideration of a question which involved a question affecting our Treaty obligations.

Mr. CHAPLIN said, he had never stated that six hours were too many for the discussion of the Amendment. What he had pointed out was that if the question was one of great importance it was strange it had never been alluded to during the lengthened debate on the second reading of the Bill.

Mr. CHAMBERLAIN observed, that his right hon. Friend the Member for Bradford (Mr. W. E. Forster) had alluded to the question in the debate on going into Committee, and had given Notice of the discussion which had arisen. With respect to the debate of yesterday, no possible charge of obstruction could be made against the opponents of the Bill, as the discussion was perfectly justified by the concession which, in the result, the Government had made. Under the circumstances, he hoped the hon. Baronet the Member for Chelsea would persevere with his Motion unless the Chancellor of the Exchequer fully withdrew the imputation he had made.

Mr. ANDERSON also took exception to the charge made by the Chancellor of the Exchequer, for which, he said, there was no foundation. The reason why the Opposition insisted on reporting Progress last night was that the subject under discussion—that of the bearing of the Bill on Foreign Commercial Treaties—was extremely inportant; and though able lawyers had discussed it, there were other Members who wished to discuss it also, and who did not care to carry on the discussion at an hour when nothing that they said would be reported, and when the bucolic supporters of the Government were impatient of debate.

Mr. BIGGAR said, he thought he was called upon to contribute to this interesting conversation, seeing the honour of the House was in question. He defended the Amendment he had moved on the previous night, and expressed surprise at his own moderation in the occupation of time over it. In his view, the Government were entirely in the wrong in the course pursued last night on all the points raised.

Mr. ASSHETON CROSS appealed to the common sense of the House whether the time had not come when they should endeavour to make some progress with the Bill. The words of his right hon. Friend the Chancellor of the Exchequer had received a stronger interpretation than he expected, but hon. Members had a perfect right to protest. Having now made their protest for some time, he hoped they would be satisfied. The Government fancied that after the discussion of last night they might be allowed to proceed with the Bill, it being admitted by the right hon. Gentleman the Member for Greenwich that the mode chosen was not the best in which the question involved in the Amendment might have been raised. It did not surprise him that the question was raised; and it was fully discussed. However, when they left last night it was understood that there would be a further debate that day on the question; and he hoped that hon. Members, as sensible men, would now proceed with the Committee.

Mr. MUNTZ said, he was glad to hear an allusion at last made to common sense. This was a very important question, considering that they were just on the eve of negotiating a fresh Treaty of Commerce with France. In his opinion, the Government were wrong in the course they adopted, and that the proceedings of the opponents of the Bill were justified by the circumstances in which they found themselves.

MR. W. E. FORSTER hoped that after the appeal made by the right hon. Gentleman they would resume the discussion of the clause in Committee. He was not surprised at the remarks which the observations of the Chancellor of the Exchequer had elicited. His right hon. Friend was generally so kindly that any apparent imputation from him was felt more than it would be from anyone else. However, he was quite sure now that the right hon. Gentleman did not mean to make any charge of obstruction, and that any such charge was entirely withdrawn; and, therefore, he hoped the Committee would now be permitted to resume its labours.

MR. MUNDELLA said, he hoped there would be no division on the Motion then before the House. The trade of this country in imports and exports with those countries with which England had Commercial Treaties amounted to £150,000,000, and to £100,000,000 with those countries whose Treaties would be violated if this Bill were passed in its present form.

MR. SPEAKER observed, that the hon. Member was out of Order in pursuing such a course of argument.

MR. MUNDELLA said, he was only justifying the course that was pursued yesterday by the Opposition, and how important it was that the House should consider this Bill in respect to our Treaty obligations.

MR. JACOB BRIGHT urged his hon. Friend the Member for Chelsea to withdraw his Motion for adjournment, although he thought it was justified by the language of the Chancellor of the Exchequer.

Original Question put.

Ordered, That the Report be received To-morrow.

CONTAGIOUS DISEASES (ANIMALS) BILL—[*Lords*]—[BILL 204.]

(*Sir Henry Selwin-Ibbetson.*)

COMMITTEE. [*Progress 16th July.*]

Bill *considered* in Committee.

(In the Committee.)

PART I.—GENERAL.

Clause 2 (Commencement of Act).

Amendment proposed,

In page 1, line 17, after the word "Act," to insert the words "Provided, That no such order shall be valid if its operation shall be inconsistent with the obligations existing under any commercial treaty for the time being in force."—(*Sir Henry James.*)

Question proposed, "That those words be there inserted."

MR. PELL said, that although the debate of the previous evening was protracted to an exceedingly late hour, he was not one of those who thought time had been wasted. If it were possible to effect the object the Committee had in view—which was to permit the free importation of wholesome meat into this country as far as was consistent with the security, with reasonable security to the breeders of and dealers in beasts—without going so far as this Bill did, he would be glad to see it so effected. He was not going to treat this as a question between the urban and the rural populations; because he would candidly acknowledge that many borough Members had supported the Government, and that, on the other hand, there were some Representatives of counties who did not entirely concur with the supporters of the Bill. He desired to view the question, as far as he could, from the foreign countries' point of view. The question that occurred to him as requiring an answer was—"Are we about to do by this Bill that which may embarrass the country hereafter in its relations to foreign States?" Drawing his conclusions from the debate of last night, he was inclined to think that there was such doubt on this question that it might be well not further to take up the time of Parliament in discussing the question. He ventured to make a suggestion of his own as to the solution of the difficulty. On the second reading of the Bill he had said that he had doubts whether the House was dealing rightly with those countries which had been proved nearly, if not quite, free from the danger which was dreaded. He would now make a proposal that other countries should be placed on much the same footing as that in which it was proposed to place Denmark, Spain, and Portugal, under the Bill. He had given Notice of an Amendment to the clause which the Secretary to the Treasury proposed to introduce in regard to those countries. The effect of that Amendment would be to require that both Houses of Parliament should be furnished with the statement of the reasons which the Privy Council had for relaxing the strict provisions of the Bill in the case of any of the five countries he named. If that Amendment were accepted, there would be as much security, as perhaps, the country was intitled to expect; and he now desired to see the relaxation extended to other countries, provided the accompanying security were given that would be embodied in his Amendment, requiring reasons to be laid before Parliament, and thus affording Parliament an opportunity for discussing these reasons. It was obvious that in that case the Privy Council for the time being would not be enabled to suspend the general provisions of the Act without stating to the country at large that it had grounds for so doing. If his idea were accepted and embodied in the Bill, the country would be reasonably safe against the introduction of foreign disease, and the difficulty as to the "Most Favoured Nation Clauses" would be got over at once. He gave Notice that, at the right time, he would move a clause embodying these suggestions. If it were adopted, he hoped it would clear away one important difficulty and enable the Committee to proceed with the Amendment of the Bill. The question that had now been raised as to foreign countries was entirely new to himself. He never heard it raised, as they would naturally have expected that it would have been raised, on the second reading of the Bill. The Opposition had made the best of the hare they had started, and no one could blame them for it. He only wished they had found it earlier, and given the House an opportunity of preventing its being the cause of so much time being occupied. Having said that much, he would not further take up the time of the House; but would, at the proper time, move the Amendment which he had read to the House.

Mr. PEASE wished to make one or two observations to the House, of much the same character as those of the hon. Member for South Leicestershire, whose views he shared. He was very anxious that the Bill should pass for the purpose of regulating the home trade in cattle, and of preventing the spread of disease by means of the foreign imports. Hitherto he had kept silence during the debates upon the Bill, in order that it might the more quickly go into Committee, when the serious points could be discussed. The question raised last night by the hon. and learned Member for Taunton (Sir Henry James) was, in its broad aspects, new to him. Up to the moment that it was brought forward, he confessed that he should have been quite prepared to have voted for the alteration proposed by Her Majesty's Government to practically arrange countries under three Schedules. But after hearing the debates, no one could help coming to the conclusion that, in forming these Schedules, they were treading on excessively dangerous ground, and that that which they desired to accomplish would be paid for at too dear a price. The existence of these Commercial Treaties in their integrity, he must remind hon. Members representing agricultural constituencies, was of vital importance to the agricultural interest. Although it might be very well to say, like the hon. Member for North Warwickshire (Mr. Newdegate), that the Midlands supplied Birmingham with meat, yet it must be remembered that it was doubtful whether the meat would be required but for the trade brought into the country by the Reciprocity Treaties. Therefore, in his opinion, the time was well spent last night in discussing this question, for they now knew the extent of the danger they ran and the importance of refraining from doing the slightest thing by any Act they could pass which would damage these Reciprocity Treaties in the eyes of other countries. He understood his hon. Friend the Member for South Leicestershire (Mr. Pell) to propose that all animals should by law be slaughtered at the port of landing; but that those countries which had fulfilled certain regulations made by the Privy Council, and assented to by Parliament, should have cattle admitted without slaughter. The question of the "Most Favoured Nation Clause" would not then arise, for each country, when free from disease, could obtain the admittance of its animals. In his opinion, the Government would do well to adopt that suggestion. By carefully drawing the regulations, and providing that they should be laid before Parliament, practically the same result as to prohibition would be effected as if the three Schedules were adopted. In the case of Germany there was a long frontier, and almost an impossibility of guarding against disease from Russia. If all countries were treated alike, the regulations would provide that all frontiers must be carefully guarded, and such internal regulations made as would check the disease. But the moment the Privy Council were satisfied that everything had been done, and that any particular country was free from disease, then they should have power to admit its cattle without slaughter. In that way, this country would be offering the greatest possible inducement to other countries to stamp out the disease—an inducement which would have so much effect on Holland, Germany, and France, that they would endeavour to do so. Therefore, he thought the suggestion of his hon. Friend would, without increasing the danger, give every encouragement to those countries to make themselves equal to Denmark and America in their freedom from disease, and compete in the English market. While thus treating all countries alike, the proposal would also be making the best possible provision for the food of the country.

MR. RITCHIE said, he had placed upon the Paper an Amendment, the effect of which would be to place all countries on the same footing. Up to the present time, he had been prepared to view the concession made by the Government with reference to the five countries as sufficient, and not to propose his Amendment; for, although he thought that the proposal made by the Government was not all that they could desire, yet a concession made on one side must be met half-way on the other. If, therefore, the point under discussion had not been raised, he should not have moved the Amendment of which he had given Notice. But it appeared to him that that new point altogether altered the aspect of affairs; and, on carefully looking over the whole of the arguments of the previous night, he was bound to say that, in his opinion, the Government had certainly not established their position. He had come to the conclusion that the Government, by asking Parliament to take from them the power of giving certain countries advantages, was, in fact, asking Parliament to pass an Act which would render it impossible for them to carry out their Treaty engagements without coming to Parliament again for the purpose of giving them that power. The Government contended that the difference lay only between an Act of Parliament and an Order in Council. But that was all the difference in the world—for, in the one case, power to carry out Treaty engagements was taken; while, in the other, the hands of the Government were bound by an Act of Parliament; and it would be necessary to come for another Act to undo what had been previously done. He thought the suggestion of the hon. Member for South Leicestershire (Mr. Pell) was in the right direction, and he hoped the Government would bring forward some proposition to meet the difficulty. For his part, he considered that if the Government wished to make progress with the Bill, it would be better to make the concession a real and solid one. It was proposed to make three or four classes of countries. Canada and the United States were unscheduled countries, and were to be allowed to send their cattle in freely without any discretion on the part of the Government. Then the Privy Council were to have the power to admit animals from Spain, Portugal, Norway, Sweden, and Denmark without specifying any reasons to Parliament. Then the hon. Member for South Leicestershire proposed to add another class, by giving the Privy Council power to admit any other country on condition that they laid their reasons before Parliament. He did not think it was justifiable to create so many categories. It appeared to him that it would be wiser and better for the Government to take power to exempt any country, and not to treat any country exceptionally in the Schedule—not even America. With a slight alteration, he thought the Amendment he had placed upon the Paper would entirely meet the justice of the case. He would wipe out all those excluded countries in the Schedule, and simply insert the following words at the end of Clause 33:—

> "The Privy Council, on its being shown to their satisfaction that in any of the countries to which the Schedule applies, the laws therein as to the importation and exportation of animals, and as to the prevention and the treatment of disease, are sufficient to afford a reasonable security against the importation therefrom of diseased animals, and being further satisfied that the disease is not prevalent in such country, may, from time to time, by general and special Orders,

exempt that country from the regulations as to compulsory slaughter."

If that suggestion were adopted, it could not be said that any one country was treated differently from another. There would be but one category instead of three, and all the securities necessary for proper protection would be assured. If the Government yielded on this point, as, in his opinion, they must, he hoped they would accept his Amendment, or one of the like character.

COLONEL KINGSCOTE was in hopes that after the discussion the previons night, which he quite agreed turned upon an entirely new point, that the Government would have made some concession in the matter. He was very desirous that the diseases of animals should be stopped in this country. That was his main object; but if these Treaty obligations would be affected by the Act, and they would be brought into conflict with other countries, let them endeavour to carry out what they desired—the prevention of disease in this country—by other means. The nearest approach to a satisfactory solution of the question was, he thought, shadowed forth by the hon. Members for South Leicestershire (Mr. Pell) and the Tower Hamlets (Mr. Ritchie). If restrictions were put upon farmers and graziers at home, some similar restrictions must be applied to cattle imported from abroad. He wished to see as much responsibility as possible thrown upon the Privy Council in this matter. Two or three years ago, evidence was given by the Privy Council officers, to the effect that it was impossible for rinderpest to re-appear in this country. But it did appear again, and he considered that the proper amount of responsibility should be placed upon a Department which lightly expressed opinions of that kind.

MR. CLARE READ said, he was unfortunately not a lawyer, and he had not now the advantage of being a commercial man; but he could bring common sense to bear on this subject, and he could not understand why his hon. Friend the Member for South Leicestershire should propose to treat America, which was a clean country, so far as cattle diseases were concerned, in a manner different from that in which European countries, if they, too, happened to be clean, were to be treated. He should have thought that the same rule ought to be applied to one country as to the other. There was evidence that certain countries in Europe were never free from disease, and that was the reason that the Government concession did not extend to them. He would make one observation with reference to what had fallen last night from the right hon. Member for Bradford (Mr. W. E. Forster). It was a mistake to treat this as a Cattle Plague Bill. The cattle plague was effectually dealt with in the measure of 1869. But the present Bill proposed, for the first time, to treat foot-and-mouth disease and pleuro-pneumonia as diseases, to check their progress in the country as well as to stop their importation. It had been suspected that Holland might stop importation from Germany, and so become free from disease; but it had been proved, over and over again, that Holland was never free from pleuro-pneumonia. Last year there were 951 cases of that disease in that small country. In the same period, 1,405 cases of foot-and-mouth disease were imported into this country from Holland. It might be very well to vest a discretion in the Privy Council as to the cattle plague; but it was different with regard to these diseases which were constant. The Chief Veterinary Inspector for the Government of France gave evidence before the Committee, and when asked how long pleuro-pneumonia had existed in France, said it had been there from time immemorial. Whether he intended to date back its introduction to the first year of the reign of Richard I., he (Mr. Clare Read) did not know. With respect to foot-and-mouth, the same witness could not say when it first appeared in his country, but knew that it had for several years become indigenous. It appeared to him (Mr. Clare Read) to be beyond all doubt that France, Belgium, Holland, Germany, Russia, and Austro-Hungary, were unable to free themselves from these diseases which they were about to stamp out in this country. Therefore, he would have thought it easy to say, as the Government did—"There are countries from which we must exclude all cattle from entering England." But he considered that if it could be shown that any country had been free from disease for 12 months, these same regulations might be inserted in the Act with regard to the removal of the prohibition. It must, however, be remembered that the Bill was not for the prevention of cattle plague, but for the extermination of the two diseases — foot-and-mouth and pleuro-pneumonia — and that all cattle from countries infected with them must be prevented entering the country.

SIR WILLIAM HARCOURT did not think that it could be justly said that time had been wasted by the discussion that had taken place. It would have been a great loss to the Committee if they had not had the speeches of the hon. Member for South Leicestershire (Mr. Pell), of the hon. Member for the Tower Hamlets (Mr. Ritchie), and of the hon. and gallant Member for West Gloucestershire (Colonel Kingscote). Certainly, the hon. Members for the counties of Gloucester and Leicester were as well qualified as any to speak on behalf of the agricultural interests of the country. The proposals which had been made by those hon. Members, and by the hon. Member for the Tower Hamlets, speaking for the urban population, would go far, if adopted, to facilitate the progress of the Bill. He had listened carefully to the speech of the hon. Member for South Norfolk (Mr. Clare Read), and had failed to detect in it anything which detracted from the position taken by the hon. Gentleman to whom he had referred. Moreover, the hon. Member, who occupied the position of President of the Royal Agricultural Society, had expressed his willingness to accept their suggestion. What was their proposal? That no countries at all should be named in the Bill, and that the Privy Council should be intrusted with the responsibility of deciding, under the varying circumstances, the countries to which the restrictions should apply. The hon. Member for South Norfolk had given strong reasons why cattle from Holland and some other countries should not be admitted; but the Privy Council, in deciding on those cases, would have the advice and assistance of many persons well acquainted with the subject, and, amongst others, of the hon. Member for South Norfolk. Therefore, if it were true—as it no doubt was—that Holland was in a condition that made it right that her cattle should not be admitted, the Privy Council would, under the proposition of the hon. Member for South Leicestershire, exclude them, and also the cattle from other countries in a similar state. It had been objected that the Opposition had raised what the hon. Member for South Leicestershire called a new "hare;" but it must be remembered that the injustice of which complaint was made was not in the original Bill. It was not until the Government made its second concession, and took the five countries from the Schedule, that the necessity for raising the question became apparent. [Mr. PELL: America was not scheduled.] No doubt the question might have been raised with regard to America; but the importance of the matter was not so clear until the other countries were brought in. There had been the fullest possible intimation that this question was intended to be raised, and if the point were a good one the House would deal with it. He only mentioned the matter for the purpose of meeting the objection that the question had been brought before the House by surprise; and it must also be remembered that the point was treated at some length by his right hon. Friend the Member for Bradford (Mr. W.E. Forster) on the second reading of the Bill. It seemed to him that the tone of the debate that morning had been more favourable to the proposition than it was the previous night. There had been a more conciliatory tone on both sides of the House with respect to the matter, and it was now seen that the proposal of his hon. and learned Friend the Member for Taunton (Sir Henry James) was not vexatious, but one which referred to a very serious difficulty, which both sides of the House were anxious to remove if possible. He did not desire to go into the details of the proposal of the hon. Member for South Leicestershire, but would wish to hear what Her Majesty's Government had to say with reference to it. He supposed that the Government might then go on with the Bill, and that those who were opposing it might rest satisfied with the assurance that the difficulties which they had foreseen, and to which they had called the attention of the House, would be removed. Without pledging either the Government or the other side to the details that were to be adopted, if the Government were prepared to agree to the proposition that all countries should be put on the same footing, leaving to the Privy Council the absolute discretion—or, to use the words that had been used by the hon. Member for the Town Hamlets (Mr. Ritchie), the "heavy responsibility"—of admitting cattle from foreign countries, the Privy Council being responsible to the nation and to Parliament, why, then, he would say, that the adjournment of the debate had gone a long way towards carrying the Bill. There was this strong argument with respect to the proposal of the hon. Member for South Leicestershire—that what foreign countries had to look to was the Executive. When they made a Treaty, or entered into an engagement of any kind with a foreign country, that country knew nothing of our Constitution, and did not inquire by what method we proceeded; it knew only the Executive, and it was the business of the nation and of Parliament to arm the Executive Government with the powers necessary to carry out the national obligations. That was why the Government could not turn round to a foreign country and say—"What you state is true; but we have not got the power to do what you require." The answer would be—"You ought to have the power, and it is your duty to arm yourselves with that power." Some Treaties could be carried out without recourse being had to Parliament, and for others it was necessary to have Parliamentary authority; but whether the Government came to Parliament or not, it was their duty to arm themselves with the necessary power and authority for dealing with Treaties. If they made the compulsory slaughter of foreign cattle general, with a power to the Privy Council to relax that regulation on proof given by a foreign country that it was free from cattle disease, it appeared to him that the trade would be placed on a proper footing, and that none of the difficulties which were now apprehended would arise.

Mr. HERMON said, he presumed they were now considering the Amendment of the hon. and learned Member for Taunton (Sir Henry James). The debates on that Amendment showed him that there was a difficulty in regard to the foreign Treaties; and if there was a difficulty, it was far better that it should be cleared up in that House than that it should afterwards become a source of recrimination between different countries. He believed his hon. and learned Friend was not wedded to the words of his Amendment; but he thought the point should be cleared up, and that the Bill should be framed in such a way as to convince the House that they were not running counter either to the spirit or to the words of the Commercial Treaties. He thought the logical conclusion from this—and he hoped it would satisfy his hon. and learned Friend—was to name no country at all in the Schedule; and, as he had said on the second reading of the Bill, to throw a greater burden on the Privy Council, who would feel their responsibility more fully after this discussion than they had done before, and would be very glad to allow no disease over which they could exercise any control to enter the country. He did not think the discussion as to the powers to be accorded to the Privy Council would be at all thrown away. He was glad to hear the suggestion which had been thrown out by his hon. Friend the Member for South Leicestershire (Mr. Pell). He thought that might clear the way, and he hoped the Government would take it into consideration. He saw a very formidable number of Amendments on the Paper; but he believed the adoption of that suggestion by the Government would cause the removal of nine-tenths of them, and would facilitate the passing of a Bill which would be beneficial to the country without interfering with the price of food, and which would, at the same time, give to breeders in this country the security to which they were entitled. He could not for a moment agree to put restrictions on the breeders of this country without doing something of the same kind with regard to the countries that sent us cattle. The adoption of the suggestion of his hon. Friend the Member for South Leicestershire would, he repeated, in his opinion, make the Bill a good Bill, satisfactory to the breeders of cattle in this country, and not likely to lead to discontent abroad on the ground that the Government had interfered with Treaties. He must confess that in matters not connected with cattle—but the principle was the same—he had seen jealousies and troubles arising in connection with Commercial Treaties; and he thought that had been particularly the case in regard to the Italian Treaty, and also in regard to that with Spain and Portugal. Such disputes were most vexatious and troublesome to commercial men; and to give rise to them by this Bill could do no good at home, and would set up heartburnings abroad. He thought that leaving all names out of the Schedule would be the best way of settling this question.

MR. CHAMBERLAIN said, that those who had hitherto felt it to be their duty to oppose the Government would be rejoiced to give the further progress of the Bill their best assistance if their objections were removed by the acceptance, on the part of the Government, of the principle of the suggestion of the hon. Member for South Leicestershire (Mr. Pell). He said "the principle of the suggestion," because he had not been quite able to follow its terms. He took that principle to be this—that there should be absolute equality of all foreign countries, and that would be best brought about by carrying out the suggestion of the hon. Member for Preston (Mr. Hermon), and omitting all countries from the Schedule. If any country was named, it must be because they intended to establish a distinction between it and other countries, and if they established such a distinction, then the objection of the hon. and learned Member for Taunton (Sir Henry James) could be maintained, and they would not be fulfilling their Treaty obligations. There were two ways in which equality could be realized—one was by levelling up, the other by levelling down. They could level down America and Canada, and make compulsory slaughter the rule, allowing the Privy Council to make exceptions to the rule as it should see fit. But, surely, such an arrangement as that would be exceedingly unreasonable, and he hoped the House would not consent to it. What possible ground could the Government give for putting on America and Canada restrictions which, by the action of the Government, had been shown to be totally unnecessary? The only proper course for the Government to take was to level up, and to put all countries into the position in which they placed the United States now, allowing them to send their cattle to this country unless the Privy Council were satisfied, as to any particular country, of its unhealthiness. If the Government were now considering the possibility of accepting the suggestion which had been made, it might be desirable that the Chairman should report Progress, though he would not make a Motion to that effect himself, in order that, on a future occasion, the exact terms of the proposed Amendment might be brought up and considered by the House. He was quite sure that such a course on the part of the Government would materially favour the speedy progress of the Bill; for it was quite true, as the hon. Member for Preston had said, that many Amendments would disappear from the Paper if this concession were made. He had himself placed on the Paper a large number of Amendments, the effect of which would be to make more stringent the home regulations, for he felt that it was radically inconsistent to exclude the cattle of any foreign country unless, at the same time, they took precautions which were proved to be necessary in order to stamp out disease at home; but if the proposed regulations with regard to foreign cattle were struck out of the Bill, he should not feel justified in pressing all his Amendments against those who represented the agricultural interest. He believed the postponement of the further consideration of the Bill until the Government should be able to make a proposition in the sense of the suggestion made by the hon. Member for South Leicestershire was now the course best calculated to facilitate the progress of the measure.

MR. CHAPLIN said, he was glad to take this opportunity of offering to the House his humble views as to the suggestion of the hon. Member for South Leicestershire (Mr. Pell), and as to the Amendment of the hon. and learned Member for Taunton (Sir Henry James). He had been unwilling to do so sooner, and he had been listening while a great legal authority on International Law was addressing the House, for an explanation of how it came about that hon. and learned Gentlemen opposite had not been able to discover, on the second reading of the Bill, that a great question with regard to foreign Treaties was raised by this Bill. Many persons had asked him how it was that this difficulty had not been discovered before. He really could not quite believe in the reality of this new discovery, for he could not pay so bad a compliment to all the legal talent opposite as to suppose that the point had escaped their notice. The right hon. Gentleman the Member for Greenwich (Mr. Gladstone) had stated that it had not escaped his attention, and that he had called the attention of his Colleagues to it; but, in spite of that, and although this took place on the second reading, not one hon. or right hon. Gentleman opposite had taken the smallest notice of it. He could only, therefore, repeat his great surprise that they should now consider it a matter of such enormous importance. He hoped, however, to meet them in a conciliatory spirit. On the previous night he had expressed his strong opposition to further concessions in the direction in which they had hitherto proceeded, and to unlimited discretion being vested in the Privy Council. He had been repeatedly asked during the debate why he objected to place confidence in the Privy Council? His answer was obvious—that it was going back to the old state of things, and they knew from experience that the result of placing unlimited confidence in the Privy Council had been the admission of cattle plague time after time, and also other diseases. Could hon. Gentlemen opposite, then, express surprise that he and his Friends were not prepared to rush again into the arms of the Privy Council? But the suggestion of his hon. Friend the Member for South Leicestershire was somewhat different from that. It was not unlimited confidence that was proposed. His hon. Friend suggested a Proviso—that the Orders in Council should be laid on the Table of both Houses of Parliament; and, so long as that Proviso was retained, he, for one, would not oppose the proposal of his hon. Friend. He was disposed to accept it for one reason more than another. Hon. Members on that side of the House had been constantly accused of a desire to encourage Protection, and to give a monopoly to farmers. For his own part, he could truly say that his sole object throughout had been to increase the supply and to diminish the price of food to the people; and he had no doubt in his own mind—and he never had had the slightest doubt from the beginning of this discussion—that the effect of the Bill would be to increase the supply of food and to diminish its price. But hon. Members opposite really must remember that there must be a limit to concession. If the Bill were to be effective at all, they must impose considerable restrictions upon the farmers at home, and if they imposed those restrictions without giving the farmers fair security against the return of diseases from abroad, they would be perpetrating an injustice to which he would never consent to become a party. So long as the farmers had this fair security—as he thought they would have under the suggestion of his hon. Friend the Member for South Leicestershire—he, for one, should be ready to do anything to meet the views of hon. Gentlemen opposite, and to join with them, if they would join with hon. Members on his side, in framing a measure which would effect the object which every one of them wished to see accomplished.

THE CHANCELLOR OF THE EXCHEQUER said, he thought that after the discussion which had taken place, they had arrived at a point at which the Government should state how far they could accept the proposal which had been suggested. With regard to the principle which was involved in the suggestion of his hon. Friend the Member for South Leicestershire, and which had been very clearly put by his hon. Friend the Member for Preston (Mr. Hermon) and others, he was quite prepared to say, on the part of the Government, that they were ready to accept that principle. As he understood it, it was to omit from the Schedule of the Bill any distinction between one country and another. He would repeat what he had contended for on the previous night—that it was not the intention of the Government to make any distinction between one country and another under similar circumstances, and the only question was to determine in what way the circumstances were similar. He thought that in agreeing to strike out all distinctions as to the United States of America or any European countries, and in treating all countries as on the same footing, it was obvious that they must consider rather carefully what was to be the precise position in which they were going to place those countries; and he could not undertake, without further consideration, to say how far the Government would be prepared to go in accepting the precise proposal of his hon. Friend the Member for South Leicestershire. But he was prepared to say that the Government would accept the principle of omitting the distinction between one country and another. With regard to the proposal of the hon. and learned Gentleman the Member for Taunton (Sir Henry James), he took an objection to it on the previous night, and he really thought his objections had not been answered. It seemed to him that they would do well to dispose of that Amendment, and to proceed with the discussion of those parts of the Bill which came next in order. He could not say, on the present occasion, how far the Government would be prepared to accept the proposal of his hon. Friend the Member for South Leicestershire; but he thought they ought to have Notice of the Amendment placed on the Paper, in order that they might see precisely how he would meet them. Of course, it was understood that it involved the principle that Parliament was to have notice of any proceeding on the part of the Privy Council, and whether that was to be embodied in one particular form or in another was a matter of consideration and arrangement. But he agreed with his hon. Friend the Member for Mid-Lincolnshire (Mr. Chaplin), and others, that it was essential, if they were to impose greater restrictions upon the home management of animals which were infected with disease, and were to put greater restrictions upon the breeders and owners of cattle, for the purpose of stamping out disease, it was necessary to take efficient precautions against the importation of diseased animals, which would entirely neutralize the precautions taken at home. This was the sole object which the Government had in view, and they wished to take the necessary precautions with as little restriction on trade as possible, consistently with their main object; but they must take care that the main object was answered. He did not think that to leave the matter, as it had been left, in the hands of the Privy Council, would be sufficient security; but they must take care that the restrictions and the permissions to be established by the Bill were such as would certainly give to Parliament a *bonâ fide* control over the course taken by the Privy Council.

MR. W. E. FORSTER said, he must join in the congratulations which had been expressed at the turn which the debate had taken; and he thought they were very much indebted to the hon. Member for South Leicestershire (Mr. Pell), who had shown them a way by which they might arrive at a temperate and reasonable consideration of how they might legislate for the real interest of the country. He was quite sure that the hon. Member for South Norfolk (Mr. Clare Read), and other Members, had the same feeling on the subject that he himself had, and that they were all anxious to do anything that could possibly be done to prevent the spread of disease. He thought the statement just made by the right hon. Gentleman the Chancellor of the Exchequer would meet the objection of his hon. and learned Friend the Member for Taunton (Sir Henry James). He understood the Government distinctly to say that they did not intend any preference to be given to one country over another; and that, without admitting the contention to be correct that by requiring an Act of Parliament in one case, and an Order in Council in another, there would be such a distinction, they were willing to admit that it would be well to avoid the appearance of any preference, and that in that respect all countries were to be treated alike. If he were right in that understanding, he had no doubt that his hon. and learned Friend would at once withdraw his Amendment, and would not wish to detain the House longer in discussing it. But it was impossible to pass over this question without considering the effect the new provision would have on the general position of the Government. There was no doubt that the clause had led to a feeling that the foreign trade was unfairly treated, and that the interest of the consumer was not sufficiently considered. In fact, there were two policies in the Bill—an absolute discretion being given to the Privy Council with regard to the home trade, and a limited discretion with regard to the foreign trade. The Chancellor of the Exchequer had not said to what extent he accepted the suggestion of the hon. Member for South Leicestershire; but, from the tone of his remarks, and from the appeals which had been made to him on both sides of the House, as strongly by Friends of the agricultural interest as by Representatives of large boroughs, he (Mr. W. E. Forster) felt sure that the Government did intend to admit the principle which had been mainly contended for on the Liberal side—that was to say, that the Executive Government of the day were to be allowed in the future, as in the past, to make such regulations as they should consider necessary for the prevention of disease, but only those regulations that were necessary, and that they would not interfere with trade more than could possibly be helped. [Sir HENRY SELWIN-IBBETSON assented.] He was glad to see the Secretary to the Treasury nod his head. He understood that was the principle now conceded, and that was what hon. Members on that side had been contending for. What had made the right hon. Gentleman think they were rather obstinate was the strength of their feeling that in such an important matter as the supply of food to the community, the Executive Government ought to have very great responsibility as to any interference with trade, and ought not to be bound by any hard-and-fast line laid down in an Act of Parliament; but that they ought to be free to relax the stringency of the regulations wherever it might be necessary. That was all that was really required, and if his hon. Friend's suggestions were carried out, it would be a very considerable gain on the side which he had been supporting. They must never expect that a minority should get exactly its own way, and, if they obtained the principle, they must not mind very much about the form; but, in giving the principle, the Government had made a very great concession. If the rule was to be in favour of slaughter at the ports, instead of cattle coming inwards—["No, no!"]—well, a very great concession had been made, and he was quite prepared, when they got to the clause, to give strong reasons why he thought the presumption should be in favour of inclusion, and not in favour of exclusion. But the principle of the matter did not rest on that point, and he was convinced of this—that if the Privy Council had the power in any way to prevent the import of food from being interfered with, such was the strong necessity of the case that, if it were not necessary to interfere with it, the Privy Council would not make the interference. He did not believe that there would be much practical difference, whether the apparent rule was in favour of exclusion or inclusion; what he said was that in such an important matter it would be impossible for the Privy Council to keep up a restriction on trade, without being able to show that there was a strong ground of necessity. He thought that when the House knew exactly what the proposition was, and how the Government met it, they would be strongly on the side of freedom of import. He was quite prepared to admit that, as far as he understood the position of the Government, they were in favour of a creditable settlement of a most difficult question. He hoped the Executive of the Government would be allowed to deal with the matter according to the necessities and circumstances of the time, which had been the case hitherto. He was not there to defend the action of the Privy Council, either at the present time or when he was connected with it; but he must say that the business under discussion was one with which they ought to act; and if the Government would give an assurance that this was to be the principle on which they proposed to act, a greal deal of his opposition to the Bill would cease. He hoped that between this Sitting of the Committee and the next the Government would carefully consider the matter, and put themselves in a position to announce exactly the extent to which they were willing to admit this principle of discretion. He felt little doubt that in the end the hon. Member for South Leicestershire would have the satisfaction of knowing that he had contributed to a speedy and satisfactory conclusion of an important and difficult question.

MR. CHARLEY said, he regarded the concessions made by the Government as most valuable. They tended in the direction of Free Trade; and all he, as the Representative of a large borough, asked was that one more concession in the same direction should be made. He objected to the application of this hard iron rule of universal compulsory slaughter. He was glad to have been told that the farmers were willing to be put under severe restrictions by the Privy Council; but what his constituents objected to was that the restrictions to be imposed upon the supply of foreign cattle to the English market were not to be imposed at the option of the Privy Council, but by Act of Parliament. What he wished for was that no foreign countries should be scheduled under this Bill; but that the Privy Council should have the power of scheduling them if it thought fit. This was the view, too, entertained by his constituents, and he had felt bound to express it to the House.

MR. J. W. BARCLAY said, he supported the second reading of the Bill, because he believed it to embody the wishes of the British farmers to exterminate cattle disease, and because he believed the slaughter of foreign cattle at the ports of debarkation to be a cardinal point in any such plan. He had never believed that such slaughter would be prejudicial to the trade, or would have the effect of diminishing the supply; and nothing that he had heard in the course of the discussions that had taken place had changed his opinion in the slightest degree. He did not think that the second part of the Bill, dealing with the home trade, would effect the object which the Government had in view. The Government had changed their position, and materially altered the character of the Bill—in fact, by proposing to leave the matter in the hands of the Privy Council they had made no real change in the present system, and had made no provision which would give the country security against the importation of disease from foreign countries. He thought it a great pity that the House should waste time in tinkering a measure which could not possibly have any beneficial effect, because it would make no real alteration in the present state of things. It was perfectly true that the Privy Council would have to lay all their Orders on the Table of the House; but it did not follow that they would be discussed, or that, if discussed, the Government would not use its majority to back up the action taken by the Privy Council. The only result would be a possible discussion as to the propriety of some past action of the Privy Council after the disease had been imported into the country and all the mischief done.

LORD ELCHO said, the hon. Gentleman who had just spoken thought all European cattle ought to be slaughtered at the port of debarkation; but he knew that he could not get that. That was tried and had to be abandoned. The hon. Gentleman said the proposal which the Government had accepted would leave the matter as it stood. In his (Lord Elcho's) view it would reverse it. A new feature was introduced by the Amendment of his hon. Friend behind him, which was that if the Privy Council relieved any country from the liability of having its cattle slaughtered at the port of debarkation it would have to give reasons for doing so, which were to be laid before both Houses of Parliament. He could not but think that provision, properly worked, would give much greater security to farmers.

MR. W. E. FORSTER thought that if the proposed discretion was left in the hands of the Privy Council, it would not much matter which way the presumption went. More than half the cattle imported would be admitted immediately, and that did away practically with the presumption of exclusion. He did not think it necessary, at this stage of the Bill, to debate the actual form of the concession. They knew that the objection of his hon. and learned Friend the Member for Taunton (Sir Henry James) had been met, and that the Government had declared that all countries should be treated alike. He did not concur with what had been said by the hon. Member for South Leicestershire (Mr. Pell), on the question of the Orders of the Privy Council being submitted to both Houses of Parliament. They were now in this position—First, the danger to their international relations had ceased to exist, because the Government had declared that they would not give one country a preference over another; and, secondly, the Government had admitted that discretion was to be given to the Privy Council with regard to the foreign trade. The exact mode of effecting that object, and the precise directions to be given to the Privy Council, were matters for consideration hereafter. For his part, he would try to convert the Committee to the belief that the presumption ought to be in favour of the inclusion rather than the exclusion of foreign animals—although he could not help honestly stating that if half the Continent and the United States were to be at once admitted, he did not think his hon. Friend the Member for South Leicestershire (Mr. Pell), or his hon. Friend the Member for South Norfolk (Mr. Clare Read), would derive very much comfort from the fact that the rule appeared to be for exclusion.

MR. PELL said, he should like to say a word or two in explanation of his Amendment. The Committee must understand that if his Amendment were accepted by the Government as at present drawn, they should have countries treated in three different ways, and he at once said it was not his desire to see that result follow from his Amendment. Cattle from America would come in without any further rule being imposed; cattle from Spain and Portugal, in the event of the Amendment of the Secretary to the Treasury—to which his was an addition—being carried, would come in under a relaxing Order of the Privy Council without any statement of reasons being made to Parliament; and cattle coming from what he might term the dangerous or suspected countries—such as Germany—could not be admitted by any relaxing Order of the Privy Council unless it was accompanied by a statement of reasons to be laid upon the Table of both Houses of Parliament. His hope was that the Government might be able to amalgamate these Amendments, so that while the Statutory Order should be one for slaughter applicable to all countries, there should be a general power given to the Privy Council to relax, accompanied by a statement of their reasons to be laid before Parliament. With respect to what fell from the right hon. Gentleman opposite (Mr. W. E. Forster), he thought the change suggested by him in the presumption as to the condition of animals imported into this country would not be a desirable one. As the law stood at present, all animals were supposed to be free to come into England, their admission being varied or checked by Orders in Council. Under this Bill, a very important change in that respect was proposed, which he hoped the Government would adhere to. It was that they should take up an attitude of distrust with respect to all countries, and let the enactment for slaughtering apply to all, with a relaxing power to the Privy Council, to be exercised under the conditions which he had stated. He did hope that in whatever way the Government might deal with his Amendment, they would adhere to that which he considered the most valuable part of it, and which alone would satisfy the country Party in that House—namely, that the Privy Council for the time being should give a statement of reasons for relaxing the Statutory Rule which the Bill imposed with regard to foreign importation.

Mr. MUNDELLA remarked, that as he had been mainly responsible for the whole of this discussion, he might be permitted to state one or two reasons why it had been raised. Hon. Gentlemen opposite had practically admitted, by the concessions which they had made, that it was both necessary and important. The hon. Member for South Leicestershire (Mr. Pell) had talked of this as a new hare started by the Opposition, and had asked why it had not been started earlier? Well, only a week ago, his (Mr. Mundella's) attention was called to the position of their various Commercial Treaties by the opposition which had been raised to those Treaties by manufacturers in foreign countries. He wanted to state to the hon. Member and the Committee that the Protectionists on the Continent were manufacturers, and not agriculturists. Indeed, their only friends in favour of freedom there were the agriculturists. He admitted that the statement which had been made by the Chancellor of the Exchequer did get rid of all the international difficulty which presented itself the day before. It was desirable, therefore, that his hon. and learned Friend the Member for Taunton (Sir Henry James) should at once withdraw his Amendment, and that they should proceed to make progress with the Bill. At the same time, he wished to guard himself particularly on one point. He was willing to give absolute power to the Privy Council to exclude diseased animals. They should exercise as great an amount of vigilance as possible in that direction. They had a perfect right to protect their home flocks and herds; but, while he admitted all this, he thought that as a Free Trade country, the presumption ought not to be in favour of absolute slaughter. He reserved his liberty of action on that point until they came really to the discussion of that question.

The CHANCELLOR of the EXCHEQUER wished to point out to the Committee that there were 86 clauses and 7 Schedules in the Bill; that it was now a quarter-past 3, or nearly so, on the 17th of July, and that this was the second day of the discussion of the Bill in Committee. The Question before them was whether a certain Amendment which had been proposed to the 2nd clause should be withdrawn? If they were all agreed that it was to be withdrawn, what were they discussing? His hon. Friend the Member for South Leicestershire (Mr. Pell) had made a suggestion. He had said, on the part of the Government, that they were ready to accept the principle of that suggestion, but that they could not decide upon its details until they had seen it in print. That, he thought, was the general feeling of the Committee; and he would again appeal to them that the Government should be allowed to make progress with the Bill that day.

MR. J. COWEN quite agreed with the suggestion—which he had intended making some minutes ago—of his hon. Friend the Member for Sheffield (Mr. Mundella), that the Amendment should be withdrawn, and that they should proceed to the consideration of the other clauses and Amendments. But he thought the Committee would see that this discussion had not been altogether useless. Hon. Gentlemen opposite would understand that the attitude which Members representing boroughs had taken upon the Bill was one of opposition. That was now altogether changed, and henceforth their position towards the Bill would be one of criticism. There was no objection, on the part of the Representatives of large boroughs, to the farmers protecting themselves against disease, and they should have the maximum of protection with the minimum of restriction. The only thing which the borough Representatives feared was that the Bill would endanger the importation of cattle unnecessarily, and thus increase the price of meat. For his part, he did not care about phraseology; he was looking at the result; and if the result which they all desired could be achieved in the way suggested by hon. Members opposite, he should be perfectly satisfied.

MR. FAWCETT said, he was anxious to say a few words, lest a misunderstanding might possibly arise in consequence of two speeches which had been made by prominent Members of the Liberal Party from the front Opposition Bench. A rule which he had found it extremely useful to observe was never to express his opinion on a Bill until he had seen it in print; and it seemed to him an equally important rule to observe, not to express any opinion on the Amendment until they saw that Amendment in print. To prevent anything like a misunderstanding, or a charge hereafter of a breach of an understanding, he wished simply to say that what he understood to be cordially accepted by hon. Gentlemen sitting on his side of the House was, that there should be no distinction made in this Bill between different countries. On that point, he believed, they were all agreed. But then came this important question. Were they going to impose new restrictions upon such a country as the United States? He wished it to be distinctly understood that, so far as he was individually concerned, he did not consider himself in the slightest degree bound by anything that had taken place that afternoon to render more onerous the restrictions of the Bill with regard to so important a meat-exporting country as the United States. Why he thought the question assumed a great importance was this—According to their own showing, the Government were going to make, with regard to the United States, the Bill more restrictive, more onerous, and more severe than it was when first introduced. He hoped that before the Government came to any conclusion upon that point they would most anxiously and carefully consider what the effect might be, not only upon this country, but upon the United States. Because, what would take place? If to-morrow, the Government should suddenly accept the Amendment of the hon. Member for South Leicestershire, news might be telegraphed to New York that on and after the 1st of September all live cattle imported into Liverpool would be compulsorily slaughtered. Whatever hon. Members opposite might say, there was an opinion prevalent that the imposing of new restrictions on the cattle trade was virtually done in the interest of Protection. He did not say this himself, but there were thousands in this country who sincerely believed that this was a Protective Bill; and they might depend upon it that if there were thousands in this country, there were tens of thousands in the United States, who would believe it. There was, at the present moment, a keen and a closely contested struggle going on in the United States between Free Trade and Protection. The slightest thing might turn the tide of success either in one direction or the other. It seemed to him that the principles of

Free Trade in America might soon obtain an early triumph. But that triumph was by no means insured; and, that being the case, he did earnestly entreat the Government and commercial men on both sides of the House to consider whether, if they made the Bill more restrictive in regard to the United States, it might not place a new weapon and a new argument in the hands of the Protectionists of the United States which they would not be slow to use. Originally as the Bill was introduced, free trade with regard to the importation of cattle from the United States was made the rule, and restriction or compulsory slaughter the exception. Now, as he understood it, if the Amendment of the hon. Member for South Leicestershire were accepted, free trade would become the exception and restriction the rule.

Sir HENRY SELWIN-IBBETSON: I am sure the hon. Member would not like to make any statement which was not absolutely correct. The Bill, as introduced, included America, and the omission of that country was effected in the House of Lords.

Mr. FAWCETT said, the statement of the Secretary to the Treasury only made his case stronger, because, after hearing the arguments adduced, the House of Lords unanimously came to the conclusion that with regard to the cattle imported from the United States free trade should be the rule, and restriction and compulsory slaughter the exception. To propose now to entirely reverse that policy in regard to a country whose susceptibilities were most sensitive, and where the Protectionist party were more powerful than anywhere else, was a most important matter, which should engage the anxious consideration of the Government, and one on which it was desirable that the Committee should not express an opinion prematurely.

Mr. MAC IVER rose merely to point out that the hon. Member who had just spoken was fighting a shadow. He (Mr. Mac Iver) had had in his time a great deal to do with their American cousins, and he thought he might confidently assert that the views of the hon. Member were truly misapplied as regarded them. There were no people in the world who were more keenly alive to their own interests than were their American friends. They would be Free Traders when it was their interest to be so, and they would be Protectionists when their interests lay in Protection. They cared nothing for abstract theories. They were practical men of business, and knew exactly wherein their interest lay.

Mr. HERSCHELL said, his hon. and learned Friend the Member for Taunton had instructed him to ask the permission of the Committee to withdraw the Amendment, inasmuch as the concessions made by the Government had rendered it no longer necessary.

Mr. BIGGAR remarked, that there was one point raised by the hon. and learned Member for Taunton which had not received from hon. Gentlemen who had addressed the Committee that amount of consideration to which it was entitled. In connection with the "Most Favoured Nation Clause," the question of the treatment in this country of cattle which had come from foreign countries was one that might be raised by them. With respect to transit, the phrase that they should be on equal terms with this country occurred in that clause, and he was disposed to think that if any one of these European countries could show it was more free from disease than this country, it could reasonably insist upon having as much facility afforded it for the transit of its cattle as was afforded to the proprietors of home cattle. He thought it would be well for the Committee to consider during the progress of the Bill to what extent it was desirable to place restrictions upon the transit of cattle belonging to clean countries, which were not thrown in the way of the movement of home stock.

Mr. BELL wished to press on both sides of the House the desirability of being allowed to proceed with the Business before the Committee. There were few Members of the House more interested in the maintenance of Free Trade doctrines than he was himself, and he had had an opportunity of studying the question as it affected both the countries which indulged in restrictive tariffs and our own. He could place figures before the Committee illustrative of the two positions; but he forbore from doing so, because he was anxious that they should be allowed to proceed with the Bill.

The CHAIRMAN: I must point out to the Committee that the hon. and learned Member for Durham (Mr. Herschell) proposes to ask leave to withdraw the Amendment which has been moved by another hon. and learned Member, who is not in his place. I believe that course is an unusual one, and I, therefore, feel it necessary to call the attention of the Committee to that fact before asking them whether it is their pleasure that the Amendment be withdrawn.

Amendment, by leave, *withdrawn.*

Clause *agreed to.*

Clause 3 (Division of Act into parts).

MR. W. E. FORSTER, who had given Notice of an Amendment, said he wished to explain why he did not move it. The reason was that they were now in a very different position from that which they occupied at the beginning of this debate. He understood the principle to be accepted, that a discretion was to be given to the Privy Council. While that principle was disputed, he felt it his duty to bring as strongly as he could before the Committee the difference of treatment of home animals, which would include Irish animals, and foreign animals. He did not feel that it was so absolutely necessary to press that point at the present time. The object which he had in placing his Amendment on the Paper was to secure that the regulation for Ireland, as well as that for England, should be considered by the Committee before they came to foreign regulation. He still thought that course would be very desirable, and he could not help thinking that the Government themselves would agree with him. But, as he could attain that object by moving hereafter that the clauses with regard to foreign import should be postponed until they proceeded with the clauses as to Irish import, and as his desire was to get on with the Bill, he abstained from moving his Amendment.

Clause *agreed to.*

Clause 4 (Repeal of enactments in Schedule, with savings and other provisions) *agreed to.*

Clause 5 (Interpretation and construction).

SIR HENRY SELWIN-IBBETSON moved that the clause be postponed, observing that he thought it could be more conveniently discussed at a subsequent stage of the progress of the Bill in Committee.

SIR CHARLES W. DILKE wished, before the Motion was agreed to, to call the attention of the Committee to the 11th sub-section. That sub-section, as it at present stood, was unintelligible, and he hoped that before the clause came on again it would be re-modelled.

SIR HENRY SELWIN-IBBETSON assented.

Clause *postponed.*

PART II.—ENGLAND.

Clause 6 (Extent of Part II.) *agreed to.*

Clause 7 (Definition of county and other districts) *agreed to.*

Privy Council.

Clause 8 (Powers of Privy Council) *agreed to.*

Local Authorities.

Clause 9 (Local authorities described in Schedule).

SIR CHARLES W. DILKE took occasion to say that he intended to move the omission from the clause of Sub-section I., which ran as follows:—

> "(i.) The Corporation of London shall alone be the local authority in and for the Metropolis for purposes of the provisions of this Act relating to foreign animals."

It was quite true that, generally speaking, the effect of that provision would be to leave the law as it stood, and if no considerable change were proposed by the Bill, with regard to foreign animals, he should not have deemed it necessary to bring forward his Amendment. But the sub-section did not stand alone, for, by Sub-section 2, it was declared that—

> "The City of London and the Liberties thereof shall be exempt from contributing for purposes of this Act to the Metropolitan Consolidated rate."

He must ask the Committee to take those two proposals into their consideration together, because it was impossible to ascertain the real meaning of the one apart from the other. The 1st sub-section made no change in the law; but it would make an alteration in the position of the Corporation, and enormously increase their income, if all foreign cattle were to be slaughtered at the port of landing. The 2nd subsection, however, would make a change in the law, and would, in his opinion, most unfairly give an exceptional and anomalous power to the authorities of the City of London as the authority or the whole of the Metropolis outside the boundaries of the City, while making it, at the same time, a separate district for the purposes of the Act, and exempting the Corporation from the liability to contribute to the Metropolitan rate. The Committee were placed in a somewhat difficult position in discussing the question—as, indeed, they had been, and would be, in dealing with the Bill throughout—inasmuch as they did not exactly know how foreign cattle would be dealt with under its operation. It was not, however, the fault of the Committee that they were obliged to discuss the subject in a slip-shod fashion. The Government had only just made up their own minds—if, indeed, they had as yet made them up at all—as to the position of foreign cattle under the Bill, so that it was impossible thoroughly to discuss the position in which the City would be placed if the sub-section which he proposed to omit were carried. It was expressly admitted, by the leading witnesses who had appeared on behalf of the Corporation before the Committee upstairs, that they would gain enormously by such a measure as the present. The extent to which they would gain, would, of course, depend on the restrictions to which the importation of foreign cattle was subjected; but if those cattle were to be more extensively slaughtered at the port of landing for the future, the Corporation would very considerably profit by the change. If even the restrictions on the countries already scheduled were only to be maintained—and he anticipated they would be continued—the Corporation would remain in the receipt, as they were now, of a vastly greater income from the cattle market under their control than it was expected they would receive when the existing law was made. He was quite aware that the senior Member for the City of London (Mr. Alderman Cotton) would try to make out that the Corporation were actually losing money by the cattle market; but, if that were so, it was because they lumped together the Islington and Deptford markets, and cattle that were slaughtered at the port of debarkation, as well as those which were not to be so slaughtered. If, besides, the Corporation were losing money at the present moment by these markets, it was owing, in great measure, to the extensive street improvements which had been made in connection with one of them and not with the other, which improvements were charged upon the markets. There was, he might add, considerable difficulty in arguing the question, inasmuch as the Committee had before them no detailed accounts with respect to it. He had, on the previous day, asked the senior Member for the City what was the amount of the tolls and charges levied by the Corporation, and what sum they realized both by Deptford and Islington markets? His hon. Friend, in reply, said that the Question was an unusual one, though the Forms of the House allowed it to be put. Indeed, the means of obtaining information on the subject seemed altogether to depend upon whether it might please the authorities in the City to give such information or not. In fact, the position of the City, with regard to the cattle market question, was altogether an anomalous one. The Metropolitan Board of Works were frequently asked for information—which, by the courtesy of their Chairman, was supplied—as to matters relating to the Board, and it was the senior Member for the City alone who could furnish those facts which would enable the Committee to form an intelligent opinion on the clause under discussion. He had intended to put the Question to which he had just referred openly in the House yesterday; but he had postponed doing so until Thursday, as his hon. Friend had told him that he was not in possession of the information which he required. In these circumstances, he felt that the Committee was hardly in a position to decide on the merits of his Amendment. He might, however, inform them that it had been stated by the witnesses who had been examined before the Select Committee of last year, that the gain to the City from the slaughter of all foreign cattle at the port of landing would not be less than £50,000 a-year. The Committee, would, therefore, at once see, looking at the large receipts of the City already, that the question raised by his Amendment was one of great importance, and one which ought to be considered in dealing with the present Bill. No doubt, as the Government had given up the proposal that all cattle were to be slaughtered at the port of landing, the gain of £50,000 a-year would fall to the ground; but, still, the Corporation would gain very considerably under the operation of the Bill. Strong objections were already urged by persons concerned in the live meat trade against the charges which were levied by the City in the existing markets. The City Corporation had been made by Parliament the sole market authority for the Metropolis, and had certain statutory powers conferred upon it, which the Legislature could at any time take away. The right hon. Gentleman the Member for Bradford (Mr. W. E. Forster), in his Bill of 1869, proposed to take away those powers from the City, unless certain conditions were fulfilled. Those conditions were fulfilled, and therefore the clause which was accepted by the House in 1869 did not come into force—a clause which would take away its market authority from the City, and allow others to build markets. The fact, however, that such a clause had been passed by the House showed that Parliament had thoroughly preserved its authority over the matter; and that it could, for sufficient reason, take away the power which had been given to the City by Statute. The tolls which were levied by the Corporation had been the subject of much of the evidence which had been laid before the Committee of last year. It was stated that at the Islington Market the Corporation received 6*d.* for every bullock, and for sheep 1¼*d.* each; whereas, at Deptford, they levied the most enormous tolls—namely, 5*s.* for a bullock, and 9*d.* for a sheep. The amount which was obtained in that way at Deptford was very large indeed. The Corporation alone got enormous sums as rents for the slaughter-houses, while the meat was taken to the dead meat market, which also belonged to the City. The result was that a very large sum accrued to the Corporation from those several sources of income. Hon. Members would find the evidence to which he referred given in answer to Questions 9067 and 9083 in the Report of the Committee of last year. The number of cattle and of sheep which were brought to Islington and Deptford Markets respectively were very considerable. He found that, in 1872, there had been brought to Islington 250,000 cattle, and to Deptford 38,000; in 1873, 295,000 to Islington, and 7,000 to Deptford; in 1874, 306,000 to Islington, and 7,000 to Deptford; in 1875, 301,000 to Islington, and 29,000 to Deptford; and, in 1876, 328,000 to Islington, and 22,000 to Deptford, of cattle, sheep, and calves. Of sheep there were 1,386,000 brought to the home market in 1872, and 123,000 to the foreign market; in 1873, 1,458,000 to the home, and none to the foreign market; in 1874, 1,650,000 to the home, and none to the foreign market; in 1875, 1,600,000 and odd to the home market, and 86,000 to the foreign—a very large increase—and, in 1876, about 1,500,000 to the home, and 40,000 to the foreign market. Now, in the absence of information from the City, he had made calculations himself as to the amount of tolls received by the Corporation for cattle at the present time; and he found that, taking as his basis the numbers of 1877, there were landed at Deptford in that year about 68,000 cattle at 5*s.* a-head, 700,000 sheep at 9*d.* a-piece, and 10,000 swine at 1*s.* each. That being so, he found that the figures would stand at £17,000 received within the year at Deptford alone for cattle; at £26,000 for sheep; and at about £1,000 for swine—the receipts in the shape of rents being £2,000. The Committee would, therefore, see that the receipts of the Corporation at the foreign market alone during one year—and these would be their future receipts, even supposing that no greater restrictions were imposed with regard to the slaughter of foreign cattle—amounted to no less a sum than £46,000. If, then, the Corporation should say that they were losing money by the markets, he hoped they would state how much they were losing by the Islington, and how much they were making by the Deptford Market; because it was, he contended, absurd and grossly unfair to take into the account the street improvements which had been made, and the hotels which had been erected at Islington. Taking Deptford by itself, it brought the City, as he had already shown, £46,000 a-year, while the expenses were, so far as he could make out—interest and sinking fund, about £12,500 a-year; annual expenses, £5,000; giving a total of £17,500, which would leave an annual profit of something like £29,000 at Deptford alone. That profit, it appeared, the City received under the following circumstances:—The Corporation had informed the Committee of last year that it was not their intention to derive a profit from their markets, and that they wished to keep the tolls at so low a rate as would merely recoup them for their outlay, and no more. But in those tolls there would never, he maintained, be any reduction so long as the charges at Islington and Deptford continued to be lumped together. Taking Deptford by itself, at which there was a profit of £29,000 a-year, it was perfectly evident that the Corporation could afford to reduce their charges; and he would, therefore, on some future occasion, move the adoption of a new Schedule of charges. The very Schedule upon which he had fixed was, he might add, that contained in the Conservative Government Bill of 1868, to which were attached the names of the noble Lord the Member for Westmeath (Lord Robert Montagu) and the late Mr. Hunt. That Schedule, in his opinion, embodied a very reasonable proposal with respect to the charges which should, in future, be made at Deptford. As things at present stood, there were no signs of concession on the part of the City; though he, for one, was prepared to enter into a compromise, if the Corporation would only come forward and say that they would contribute to the Metropolitan tolls. But if they would neither accept any such compromise nor reduce their charges at Deptford, he should feel it to be his duty to continue his opposition to the present state of things, and it was with that object that he begged to move his Amendment.

Amendment proposed, in page 4, to leave out from the word "provisions," in line 40, to the word "animals," in line 43, inclusive.—(*Sir Charles W. Dilke.*)

Question proposed, "That the words proposed to be left out stand part of the Clause."

MR. ALDERMAN COTTON wished, in reply to the hon. Baronet who had just sat down, to point out that he was labouring under a mistake in supposing that the Corporation of the City of London ought not to have the control of the markets. It was absolutely necessary that some good working authority should exercise that control over the whole of the Metropolitan markets; and he defied anyone to prove that in any way the Corporation had abused the trust which had been reposed in them. The hon. Baronet had argued that it was unfair to lump together the receipts at the two markets of Islington and Deptford; but he, on the other hand, was prepared to maintain that it was most fair that both accounts should be dealt with. The Corporation, he might add, had no pecuniary interest in those markets, which existed for the public convenience and the public good. As to the vast profits which the hon. Baronet said were made at Deptford, he would beg to inform him and the Committee that the total loss at the close of the year 1876 on account of all the markets within the jurisdiction of the City of London—including tolls, charges, rents, &c.—amounted to £171,955. [Sir CHARLES W. DILKE: Not for one year.] That was the total loss up to the end of 1876, and included all the charges from the time of the opening of the Metropolitan Cattle Market and the Foreign Cattle Market at Deptford; so that, at the present moment, the Corporation was considerably out of pocket on account of those markets. The hon. Baronet had said that the Corporation had included in the cost of its markets the outlay upon several new roads and upon buildings in the markets; but it was only fair and proper to debit them with that expenditure. The Metropolitan Cattle Market had been erected in Copenhagen Fields, which had been adapted to the purposes of a market; and if proper approaches had not been made to it, and other necessary accommodation provided, it would, instead of a success, have turned out to be a failure. The money expended upon it had been laid out for the public convenience and good, and he did not know that the Corporation had ever worked in any other sense. If it were possible to reduce the rates and charges in the markets, the public might rely upon it that would be done, for the Corporation never acted illiberally. He could not understand, he must confess, why those attacks were made upon them. As matters stood, it was absolutely necessary that there should be some control of the markets, and surely it was better that that control should be left with the Corporation than that it should be handed over to some new and ambitious body, which might be desirous of possessing it. Would it not be wiser to leave it in the hands of a body whose increase of income was likely always to be accompanied by additional public improvements, and who laboured for the advantage of the citizens at large? And when he spoke of the Corporation, he wished to be understood as speaking of the City, with hundreds of thousands of human beings constantly passing through it, and of its enormous daily population of nearly 750,000. It was to provide for the health and good accommodation of that immense concourse of people that all the great improvements in buildings, sewerage, and with respect to markets, were carried out by the Corporation; and, although the hon. Baronet was of opinion that their gains were enormous, he could assure the Committee that, on the contrary, their loss, as he had already pointed out, on those markets was very great. It was true that the hon. Baronet had given him Notice that he intended to put a Question to him on the subject. But he had given it to him only on the previous morning; and, although he was the senior Member for the City of London, he was not the Member for the Corporation. He might at once say, however, that the Corporation had nothing to conceal, and if the hon. Baronet would move for Returns specifying the items of cost and income of all the markets under their control, the Corporation would, he had no doubt, immediately proceed to prepare such a Return and present it to him for the use of the House. He could not himself at the moment supply the information for which the hon. Baronet asked; and, indeed, the demand for it had been so sudden as to suggest the idea that the thought of the Amendment had occurred to him so suddenly, that he had not time to make his calculations so accurately and profoundly as he had no doubt the hon. Baronet would otherwise have done. As to lumping the markets together, surely the Corporation were entitled to take that course? Why should the City be called upon, out of its funds, to keep up a market which was not a paying one? As regarded the figures that had been given to the House that day, he was not in a position to answer them; but he could say that the total loss to the City from the opening of the markets to the close of last year was £170,195. The public was their creditor, and any injustice done to the City would be an injustice done to the public. He hoped, therefore, that the House would respect, as it always had done, the confidence which it had placed in the City of London. He hoped they would look upon this Amendment as an unnecessary and frivolous one, one which was put to turn away citizens from the good work they were doing; for assuredly Parliament could not expect them to keep on paying without giving them an opportunity of recouping. As far as the City was concerned, the Corporation never spent public money even on the hospitality for which they were so famous. Their hospitality was defrayed out of private funds as well as contributions to useful purposes. He hoped that the House would reject this Amendment, and would consider it unnecessary and frivolous, and one which would take away from the credit which the City of London had derived from all its works and by all its examples.

MR. W. E. FORSTER said, he wanted to avoid their getting into any long discussion as to the relation of the City of London to the rest of the Metropolis. The hon. Gentleman (Mr. Alderman Cotton) had just made some defence of the City. He had stated that they had a great loss. The hon. Baronet (Sir Charles W. Dilke) had stated that they had great profit. It would take the House a long time to ascertain on which side the profit and loss went, and would interfere with their going on. The course the Government should have taken was one leaving matters between the City and the Metropolis as they were before the Bill was brought in. He was really surprised that the Secretary to the Treasury should have allowed the Representatives of the City to get behind him and put in Sub-section 2. Sub-section 2 altered the position of the City to the Metropolis. It said—

> "The City of London and the Liberties thereof shall be exempt from contributing for purposes of this Act to the Metropolitan Consolidated rate."

It looked at first sight plausible that they should not pay their own rates and those of the Metropolis as well. But that would bring up the whole question of their having their own markets and the Metropolitan Markets as well — not merely the foreign but the home cattle markets in the Metropolis. He did not think they should be surprised if the rest of the Metropolis should say—"As you have this control and do not desire to get rid of it, and as you have so very much to do with the cattle trade, and, in fact, are responsible for it over the whole of this great City, you should pay your share of the rates." He did not see why the House should have this question. Why should they be troubled with it? Why should there have been any change made from the former Act? If the Government were willing to leave things as they found them, and withdraw Sub-section 2, his hon. Friend the Member for Chelsea would, perhaps, not push his Amendment. He was not surprised that it had been proposed; but it would oblige them to go into a discussion of the exact position of the City, and it seemed to him that, in the interests of the Bill, that was not desirable. He would suggest that the Government should withdraw Sub-section 2.

Mr. RITCHIE hoped the Government would assent to this proposition. The proposal of the hon. Baronet to withdraw the markets from the Corporation was not one which he could give his assent to. He was persuaded, however, that the hon. Baronet did not attach so much importance to that point as he did to the proposed change exempting the City from contributing to the Metropolitan rate. He (Mr. Ritchie) certainly would protest, in the strongest manner, against exempting them from contributing to the Metropolitan rate; and if the Government would give some pledge that that should not be the case, he had no doubt the hon. Baronet would withdraw his Amendment. Why the City should be exempted he could not understand. They would make their own rate and would contribute next to nothing.

Mr. Alderman COTTON said, that hon. Members ought to bear in mind that the City only claimed exemption from contributing to the Metropolitan Board of Works for the purposes of this Act. If the markets remained in the hands of the City, the Metropolitan Board would have nothing to do with this work. The hon. Member for the Tower Hamlets (Mr. Ritchie) spoke of due contribution to the Metropolitan Board of Works. That was impossible by the Act, because the Corporation had so many claims upon themselves within themselves. The Corporation of the City of London was exempted, and was allowed to maintain its rights and privileges, and within itself had the power of raising its own rates. He could not see why, except for some mischievous purpose, the City should be asked to contribute to the Metropolitan Board of Works. He did not know what claim that Board had on them, or what sum they would have to contribute. Therefore, he hoped the House would not ask the Government to withdraw this clause, but would ask them most firmly to maintain and keep it.

Sir UGHTRED KAY-SHUTTLEWORTH said, the hon. Gentleman (Mr. Alderman Cotton) had addressed the Committee a second time, but had not noticed what had been said by the hon. Member. He had not noticed the fact that the City of London had a monopoly of the markets of this Metropolis. While the City of London enjoyed that privilege, and excluded from the enjoyment of that privilege all the rest of the Metropolis, surely it was fair that the City should contribute handsomely to the expenses of the rest of the Metropolis. If the Government persisted in retaining Subsection 2, the City should be prepared to give some return for that concession. He would suggest that Her Majesty's Government should take up the question of the monopoly of the markets in the City of London, so that markets should be set up in various parts of the Metropolis. No greater boon could be conferred upon the poor of the Metropolis than that there should be markets within the reach of all. If he might offer a piece of advice to the hon. Member for the City of London, he should say that he would be ill-advised in pressing opposition to any proposal short of taking away any of the privileges of the City of London. He hoped, if the Government did persevere, they would seriously consider the propriety of getting something from the City in return.

Mr. CHARLEY said, the proposal of the hon. Baronet was that the City should pay twice over—first, its own expenses, and, secondly, those of the Metropolis inside the City. The Amendment would involve a distinct breach of faith. The City of London had been for centuries the market authority. All that was proposed by the Bill was that the Corporation of London alone should continue to be the market authority for the Metropolis; but that, for all other purposes, the Metropolitan Board of Works should, outside the City, be the local authority. If the Amendment were carried, it would amount to this—that the City should not be their own local authority over their own market at Deptford, and that would be most unfair.

MR. W. H. JAMES said, that the hon. Member for the City of London had observed that the City deserved consideration, because it had so many just claims. That meant that it had so many beans in its fields. He did hope that it would not be necessary that they should raise, on this part of the discussion, the whole question of the monopoly of markets at present possessed by the City of London, and which, he thought, existed without any fair reason whatever. He was at a loss to conceive why the 2nd sub-section had been inserted in the Bill; and if the Government made no concession, so far as to accept the proposal of the right hon. Member for Bradford, he must say it would be necessary to have further discussion with regard to monopoly of markets.

SIR HENRY SELWIN-IBBETSON said, the Committee was not a little confused by the fact that these two sections, which hinged upon each other, had got a little obscured in the discussion. There were really two propositions mixed up in this question. He should like to separate distinctly the two proposals. The first proposal which the hon. Baronet made, which was the question before them, was that they should deprive the City of what they possessed now by old Charter right—which was, in reality, the power of regulating the municipality of the town and the markets of the town. He would remind the Committee that when this power was given, the City of London was really the municipality of London, and as such, these powers were intrusted to them. No one had reason to say that these powers had not been well and properly administered by them. The second proposal of the hon. Baronet was to remove Sub-section 2, which was to relieve the City from rates for the purposes of this Act in regard to the whole Metropolis. As he understood the law, up to the present moment the City of London had, at all events, representation on the Metropolitan Board, and had contributed to the rates levied under the Act of 1869 relating to the diseases of animals; and the proposal in the sub-section was to relieve them from the contributory rate, on the ground that the City enjoyed a separate jurisdiction. It was said that if this sub-section was not agreed to the City would have to pay twice over. With regard to the second proposal of the hon. Baronet, he understood that he intended to propose that the rates at present levied for the different markets held in the City of London, Copenhagen Fields—commonly called Islington Market—and Deptford Market, should be altered, and that the tolls at Deptford, at present regulated by the City, should be regulated by Statute. On that point, he would like to put before the Committee a statement of the manner in which these tolls originally arose. The cattle market, as hon. Members were aware, used to exist in Smithfield. When it was found necessary to abandon Smithfield Market and set up a new market, pressure was brought to bear on the authorities of the City to oblige them to make that new market. It was to provide for future increase in the cattle trade that that market was constituted by the City, and especially with a view of dealing with the importation of cattle. Pressure was afterwards brought to bear on the City to compel them to set up Deptford Market. The argument of the City was —"You are going to take from us some of the cattle which at present go to our Copenhagen Market. You will diminish thereby the receipts, and we therefore ask you to give us the right to set up exceptional rates for the trade that is to be brought into Deptford." There could be no doubt that the City, under the compulsion of the Act then put upon them, were put to large expenditure, and were obliged to lay out a large sum of money in creating a market at Deptford. Beyond that, they had heard the senior Alderman stating that the loss since 1869, up to the 1st of January last, which he (Sir Henry Selwin-Ibbetson) could confirm, was £171,955. Now, he thought all this showed that the Committee would do well to hesitate before they consented either to remove or to improve on the authority the House gave to the City for carrying out and controlling the markets which they had held for an unlimited time by Charter, especially when they saw, by looking at the figures presented to the House, that the Corporation were considerable losers by the markets. He confessed that, from his own point of view, there was much to be said against the non-contributory powers of the City; and he thought the suggestion thrown out by his right hon. Friend the ex-Vice President of the Council (Mr. W. E. Forster) was one that the Government could fairly accept. That was that they should stand by the existing state of things with regard to the rights of the City of London and the controlling of these markets, and that they should not interfere with the Schedules of prices, which had been really the results of Acts, forced upon them by the creation of the markets. Under these circumstances, if the Committee were of the same opinion as the right hon. Gentleman, he should propose to omit the sub-section, and ask the Committee to adhere to the Bill on the other points.

Sir CHARLES W. DILKE said, that as the hon. Baronet the Secretary to the Treasury did not agree with his third proposal, it was quite impossible that he could accept the suggestion which had just been made. The Committee had been placed in a difficult position through discussing the second Amendment on the first; and he thought, with all submission to the Committee, that he could not very well separate the two. He had not gone into the case at all upon the second. It was not necessary that he should go into the case, because the Government had given up the clause to allow the City to get off without payment of Metropolitan rates.

Mr. NEWDEGATE submitted that they were entering on a case which might be fraught with future embarrassment to the progress of the Bill. They had a representation from Liverpool that there was no convenient market for the purposes of the Bill; and if they now decided that the City of London, which had undertaken to provide markets, should after all their expenditure be deprived of the means of recouping themselves, it would be but poor encouragement to Liverpool and others to provide accommodation. It was quite probable that neither the hon. Baronet the Member for Chelsea (Sir Charles W. Dilke), nor the hon. Gentleman (Mr. Alderman Cotton), who represented the City, was prepared to go into detail and to discuss the matter on this Amendment. He trusted, therefore, that the Secretary to the Treasury would postpone this clause, if he did not abandon it. He would prefer very much to see it postponed, because he did not wish to see difficulties arising in London and elsewhere.

Sir ANDREW LUSK said, he was not a Member for the City of London, and it was not his business to defend the City of London. The City had four Members, and they ought to be present. Still, he was a Metropolitan Member, and he knew some of the facts. He held that it was convenient the City of London should have the markets. He remembered when an attempt was made to establish a market in Bethnal Green; but it would not pay, and it was shut up. Another was tried at Hungerford, and it was shut up. They might as well try to move the House of Commons, or to move London, as to move a market. They could not move Mark Lane; that was the Market for corn. They could not move Mincing Lane, which was the market for tea and sugar. It was true that the City had lost £171,000 by the Islington Market. He remembered the day when Members rose to denounce the folly of not moving the market from Smithfield. Now, when it was removed from there, hon. Members complained of the change. He denied that the money spent was spent on hotels and streets. Some streets had to be made; for what was the use of a market if they could not get to it? But this was a small part of the cost. The Act of Parliament gave the City power to do certain things, and they did those things in good faith; and he would say to his Friends who were so anxious to get a new market and a new Corporation that he should be inclined to be rather conservative in that matter. He would recommend things, in reference to the taxation under this Bill, to stand as they were without change.

Sir JAMES M'GAREL-HOGG believed the general public feeling was in favour of no change in the existing law. The City of London should not be exempt from contributing their share of the expense incurred by the Metropolitan Board of Works in respect of cattle affected by disease within the Metropolis. The City, he might remark, had not 100 cows kept within its area; whereas, in the Metropolis, there were many thousands. It gave him great satisfaction to find that a concession was being made to the Metropolis at large.

MR. W. E. FORSTER said, as the Government had given way on Sub-section 2, he hoped his hon. Friend would not persist in his proposal to strike out sub-section 1. He did not think, on the other hand, that it would be fair to make any promise with regard to the Schedule. [Sir HENRY SELWIN-IBBETSON: No, no!] He was glad to hear that. They might say, in fact, that sufficient for the clause were the concessions thereof. On the Schedule they could discuss the arguments of the hon. Baronet, and very strong arguments they were.

SIR CHARLES W. DILKE said, he could not agree to the passing of this sub-section, because he had the very strongest possible objection to the monopoly given to the City. He was only prepared to withdraw his Amendment on the City undertaking to withdraw their charges, and, as that had been refused, he must take a division. The hon. Baronet the Member for Finsbury (Sir Andrew Lusk) said the City had no monopoly. So far was that from the fact that they had the most absolute monopoly that could be conceived. No person, except he were a representative of the City, could erect any market in any portion of the Metropolis, or within a certain distance of it. Then it was said that the City had lost £171,000 by their markets. In answer to that, he had successfully proved—and the figures were not controverted by the hon. Member for the City (Mr. Alderman Cotton)—that the City were making a profit at the rate of £29,000 a-year at Deptford. It was true that at Islington they had sunk a great deal of money in street improvements, and if they deducted the interest on the money so spent, it might swallow up the profit on the market at Deptford. He contended, however, that they should keep the accounts separate, and then they would find that a large profit was made in a manner which was described before the Select Committee by a witness especially sent up by the Chamber of Agriculture. He said—

> "The Corporation charged very heavy rents, and they also made the enormous charge for landing of 5*s*. per bullock. That seemed to him a most serious tax upon meat, which must fall, finally, upon the consumer."

Those words were his case, and he should very strongly oppose the continuance of this monopoly to the City, unless the City was prepared to reduce its charges.

MR. W. E. FORSTER said, if Sub-section 2 had not been given up, he should have felt bound to vote with his hon. Friend. But as that sub-section had been withdrawn, he felt he must vote against the Amendment.

Question put.

The Committee *divided*:—Ayes 264; Noes 69: Majority 195.—(Div. List, No. 222.)

SIR CHARLES W. DILKE said, he did not propose to move the next Amendment, because the division just taken showed that the Committee was in favour of maintaining the monopoly enjoyed by the City. He would therefore propose the new sub-section, namely—

> "(iii.) The maximum tolls, dues, and payments that may be taken at the Deptford Cattle Market, shall be those specified in Schedule 3 to this Act."

As he had shown, the greatest possible objection was felt by large firms of butchers and salesmen, and others engaged in the cattle trade, to the charges levied by the Corporation at Deptford. The witness sent by the Central Chamber of Agriculture, whose evidence before the Council he had quoted, had, for instance, declared that these charges were monstrously too high. He thought some objection might be raised to this Motion, reducing tolls and charges, being put forward by a private Member, and he should not have proposed it had he not found an exact precedent in the case of other Bills. The Schedule he proposed was taken from the Bill, brought in in 1868 by the noble Lord the Member for Westmeath (Lord Robert Montagu) and Mr. Hunt. He himself thought that the charges fixed in that Schedule were too high; but he had accepted these, because they had been proposed by those hon. Members, because they were the most moderate propositions to which he could possibly agree, and because, before proposing them, the figures were most carefully examined by Mr. Hunt. At the same time, as he thought, the figures were too high, if there were any feeling that they ought to be lowered, he should willingly agree to it. The charges at present were divided into two parts. There was a charge for rent and market charges, and a charge for lairage, fixed at so much for so many days. He, of course, put all the charges into one sum; but he did not allow so many days' lairage; and, therefore, if the animals were detained for several days, the charge would be about the same.

Mr. J. W. BARCLAY, in seconding the Amendment, said, his contention was that there was a separate contract between the House and the City as to this Deptford Market, and it was that if the City, within a certain time, erected this market, they should be allowed to make certain charges in respect to it. But that contract was subject to the understanding that the House should have the power of revising these rates if they were found to be insufficient, or to be too much. Now that they were dealing with these foreign animals, it was a proper time to revise these charges, and put them on a proper footing. The charges contained in the Bill of 1868 would, practically, he thought, amount to the same price as was charged at present. The City took 5*s.* per head, which included lairage for 10 days. By the Schedule, the lairage for 10 days at the prices fixed would be 2*s.* 6*d.*, and wharfage rent, &c., would make another 2*s.* 6*d.* Therefore, he would suggest an Amendment on the Amendment of his hon. Friend, and make the 2*s.* 6*d.* include lairage for three days, all time afterwards being charged at the rate proposed in the Bill. These charges would, he thought, be fairer to all parties, and while not actually reducing the maximum charges the City of London would be entitled to make, would adapt the charges to the accommodation afforded in the different cases. No doubt, one of the arguments against the slaughter of cattle at the port of debarkation was that the charges at Deptford were so high—higher than they were at Copenhagen Fields.

Mr. Alderman COTTON thought any sudden attempt to alter the Schedule of charges unwise, and certainly beside the question with which they were really called upon to deal. The Corporation had borrowed £250,000 against these tolls, and for the payment of the interest on the bonds it looked to those tolls, which the Legislature had allowed them to receive. The Committee ought not to allow themselves to be carried away by the figures of the hon. Baronet. The net profit of the foreign market at Deptford last year was £11,000, and not the amount stated by the hon. Member for Chelsea. Against that sum there was £9,000, which they would have to spend this year on improvements. That would bear out what he said, that whatever the City got it really went to the improvement of something which was for the good of the citizens. In regard to the hotels built at the new Cattle Market at Islington, he had to admit that they were failures as hotels; but they had been converted into model dwellings for the poor, and were now let to artizans and labourers at very cheap rents. He hoped the Government would not allow so serious an alteration as that now proposed to take place as the result of a discussion of this kind.

Mr. MUNDELLA hoped hon. Members on both sides of the House would support the Amendment. They had evidence before them last year which showed that the rates were excessive. He would cite the evidence of Mr. Silvester, of the Central Chamber of Commerce, who said that the rates charged by the Corporation were very heavy; that they charged an enormous rate on landing—namely, 5*s.*; and that this was a serious tax on meat, which must eventually fall on the consumer. The hon. Alderman who represented the City of London (Mr. Alderman Cotton) said the net profit last year was only £11,000, and that they would have to expend £9,000 this year upon extensions and improvements. But surely he did not expect to charge extensions and improvements to the revenue account of a single year? That was a matter of capital account, and there was no doubt these works would lead to a large increase in income. He wished the Committee to understand that this was not a question exclusively affecting the City of London or the Metropolis. It was one affecting the whole of the Kingdom. A large revenue was to be derived from these markets, and that fact might affect his constituents quite as much as the people of the Metropolis, since it was in evidence that these charges influenced the excessive charges for meat; and he did hope that the Government would take care to protect the Provinces—because it was to the Government they must look for the protection—against what everyone admitted was an excessive rate.

SIR HENRY SELWIN-IBBETSON could not consent in this way to upset an agreement come to with the City of London at a time when the Corporation was compelled to erect this market. At that time, in consequence of the establishment of the market at Deptford, the City of London was put to a loss with reference to other cattle accommodation which they had provided. It had been stated by the hon. Baronet that the evidence before the Committee went to show that a very large increase would take place in the income derived from the tolls taken at Deptford, and he added that the amount was estimated before the Committee to reach £50,000 a-year. But that calculation was framed on the idea that the whole foreign trade was going to be slaughtered at the port of Deptford. There would be, no doubt, a large increase in the market receipts if there was to be a large investment in the cattle going there. But what were the real facts? They knew that in consequence of the severe restrictions of the last 18 months against cattle imported from countries where cattle plague was known to exist, there was a large increase in the numbers slaughtered there. But if the suggestion made that day were carried out, the whole of this increase might, very probably, upon foreign countries becoming clean, disappear; at least a large portion of the import would be withdrawn from Deptford. That brought them to the real position of the City. When the market had to be constructed, the Corporation said—"You must give us exceptional tolls in this place, because you force us to make markets of great extent without insuring us a certain trade or certain receipts." He desired to recall the attention of hon. Members to the evidence given before the Committee on the idea suggested by the hon. Member for Sheffield (Mr. Mundella). Mr. Rudkin, who spoke with considerable weight as representing the City, and knowing the management of the markets, was closely examined on the point by the right hon. Gentleman opposite (Mr. W. E. Forster); and if hon. Members would refer to Question 9,068, they would find that he there stated that the 5*s.* comprised the wharfage, the 10 days which the cattle might stay, and, in reality, when they looked at the charge at Islington Market, recollecting that no wharves had to be charged there for landing the cattle, and that, in other respects, it was exempt from expenditure inevitable at Deptford, the respective amounts would come to identically the same. Taking all these facts into consideration, along with the uncertainty of the trade, he thought the Government were justified in resisting any alteration of the terms.

MR. W. E. FORSTER was glad to find, from the remarks of his hon. Friend, that he looked forward to the concession the Government was going to make as likely very much to increase the number of live animals brought into the country. He thought the question as to the charges at Deptford should be put off to a later stage of the Bill. No doubt, the City would continue to charge the maximum they were entitled to charge, and it was a question calling for consideration whether these maximum rates were too high. He did not know that his hon. Friend (Sir Charles W. Dilke) had proved his case; but, at any rate, he had made out a strong *primâ facie* case, and the Government ought to be careful to look into the matter, and be careful to consider it at a further stage of the Bill. The evidence given by Mr. Rudkin—who was a very able man and very conversant with the subject—had been alluded to by the Secretary to the Treasury. But that gentleman said, in addition to what had been quoted, that if the revenue of the Corporation from Deptford increased largely, and if it was considered desirable that there should be a reduction in the charges, he was quite sure the Corporation would be prepared to listen to the suggestion. He said—

> "In fact, you will remember when these charges were originally fixed, it was understood they were simply to be for two or three years, to see how they worked."

The principle was that the markets were to pay a fair interest on the outlay upon them, and not that the experimental and maximum charges should be maintained. Now, Mr. Rudkin admitted that Deptford should stand upon its own position; but in solving the question whether the City made or lost, they would have to consider the number of cattle taken to

Islington Market. They knew from the Returns that 67,817 cattle were landed at Deptford in 1877; and at 5*s.* a-head, that would represent an income of £16,954; and 700,000 sheep at 9*d.*, representing some £26,000; and with the revenue from swine, and taking the rent into consideration, it would be found that the income from Deptford last year amounted to over £45,000. Their informant, a man of great experience, told them that the expenses at Deptford Market, including interest on cost of building, were not more than £17,000 a-year, which left a profit of £28,000 last year. That was irrespective of anything the Bill might do. Now, that, he thought, was rather a strong *primâ facie* case for re-consideration; and if he were in the position of his hon. Friend (Sir Charles W. Dilke), he should ask the Government to give an undertaking that they would carefully examine into the matter before the Report was brought up. He thought they could not do less, and if they did that, he should advise the withdrawal of the Amendment.

Mr. ANDERSON said, the defence for the high rates was the uncertainty of the trade, and the large outlay incurred in erecting the market. He would like to ask the Committee to consider the effect of this defence on Clause 37, under which other communities besides that of London were expected to provide wharves and other conveniences. What would be the consequence if they were to be told that they were to lay out a large amount for a very uncertain trade? They would either decline to erect wharves at all, or would adopt a scale of charges as high as that at Deptford, and the general result would be that that high scale would become stereotyped over the whole country. It was the interest of the whole country to have a low scale adopted. Supposing Provincial towns to invest large sums of money in these markets, how were they to be recouped except by putting heavy charges in some way upon the dead meat? He hoped a moderately low scale would be fixed for Deptford, and one which might become uniform throughout the whole country.

Sir HENRY SELWIN-IBBETSON thought the hon. Member for Glasgow (Mr. Anderson) was leading the Committee away from the real issue. The hon. Gentleman argued as if wharves and other costly works would become necessary under the Bill in all the large towns. He seemed to have forgotten the alteration assented to by the Government. It was very much to be doubted whether the result of the Bill would be to create, to any extent at all, a necessity for increased wharfage in towns and cities such as the city represented by the hon. Gentleman. The point clearly turned upon whether excessive profits were derived from Deptford Market. It was stated—and he apprehended that here there could be no doubt—that the uncertainty of the trade at Deptford Market rendered it very difficult to fix any very low scale of charges to meet the expenses of that market. The right hon. Gentleman (Mr. W. E. Forster) had stated the expenses at £17,000; but he seemed to forget that over and above that there was the interest which had to be paid on the outlay incurred in erecting the market, and this interest amounted to £12,000. The question depended not merely upon whether the revenue would meet the working expenses and interest; but they should also have to inquire in how far cattle, for which provision was made at Deptford, had been diverted to other markets. He was quite willing to adopt the suggestion of the right hon. Gentleman; and, although he had already carefully gone into the figures, and had heard a good deal of evidence with regard to the tolls, during the sittings of the Committee which inquired into the general subject, he had no objection to giving the City an opportunity of showing that the profits they derived from the tolls were not excessive, if that were really the case, having regard to all the charges incident to the maintenance of the establishment. Judging from the statement of Mr. Rudkin, he thought the presumption was that the City itself, if it could reverse its bye-laws without incurring a loss which it ought not to bear, would do so, and reduce the tolls, if the income they yielded was in excess of the requirements it was bound to provide for.

Mr. J. W. BARCLAY reminded the Committee that toll at Deptford on bullocks was 10 times that charged at Islington, while on sheep it was eight times as large. It would be easy to ascertain the sum of money which the

City of London would have got if the foreign cattle had gone to Islington Market; and, altogether, he thought the case clear in favour of a reduction—unless, indeed, they sanctioned the view of the hon. Gentleman (Mr. Alderman Cotton), and allowed the charge that ought to be met out of the capital account to be placed against revenue—in which case it would be very easy to make out a loss on the markets. The question was, what were the fair expenses requisite for carrying on Deptford Market? This, he thought, was the proper time for revising these tolls.

MR. ALDERMAN COTTON did not see how, in any of these calculations, they could ignore the fact that the Corporation of the City of London had been put to the loss of £172,000 upon its markets.

SIR CHARLES W. DILKE thought the hon. Alderman bound to give the data upon which his figures were founded, just as he gave the basis of his calculations—namely, the Government Returns of the animals imported. He wished to remind the hon. Baronet (Sir Henry Selwin-Ibbetson), that in the £17,000, at which he estimated the expenses of the market, he included the interest, put down at the sum of £12,000.

SIR HENRY SELWIN-IBBETSON understood the estimate to be £17,000 *plus* the interest.

SIR CHARLES W. DILKE said, the working expenses were £4,500, and the interest 12,500.

MR. GREGORY said, that in dealing with this question, it was necessary to take the Returns for a series of years. If there was a surplus from the tolls of one year, it would be a dangerous thing to say that, therefore, the tolls should be reduced. So far as he understood the case, the City authorities had pledged these tolls as a security for the expenses they had been put to; and in dealing with the tolls in the manner suggested, they might be seriously prejudicing the interests of the creditors.

MR. DODSON would like to have a distinct answer from some actual authority on the subject as to the statement that the lenders had no security except the tolls. Was that so or not? Apart from that particular question, he wanted to know in what position they would be placed if the Amendment of the hon. Baronet the Member for Chelsea was rejected. He understood it had been admitted, on behalf of the City of London, that there was no kind of guarantee or understanding that the tolls were to be continued for a fixed period of years; on the contrary, that they were to be open to revision. Now, if they let this opportunity pass of securing a consideration whether they ought to be revised or not, were they not letting slip on opportunity which might not easily recur again? He wanted to know what the Secretary to the Treasury had undertaken to do in this matter? A suggestion was made by the hon. and learned Member for Taunton (Sir Henry James) that these tolls might be considered between this and the Report. He did not understand that the Secretary to the Treasury had given any distinct undertaking on that subject; but if he had, what was it? Was he going to approach the consideration of the tolls for the purpose of revising them; or was he only giving a sort of general assurance that they should be considered, and that nothing more was to come of it? The proper opportunity for considering and revising tolls was while they were in Committee on the Bill. If they once let the Bill get out of Committee, they could not, even though they wished to do so, revise the tolls on the Report. If, therefore, anything was to be done in the way of revision of these tolls, they ought to have an understanding that it should be done in Committee. If they rejected the Amendment of the hon. Baronet the Member for Chelsea, they would have no undertaking to that effect; and it would be rather unusual to bring up a Schedule on the subject when nothing had been said in the enacting part of the Bill about such a Schedule. Unless the Secretary to the Treasury would undertake to bring up a new clause and a Schedule of tolls before the Bill was out of Committee, or give some assurance on the subject, he should be prepared to vote in favour of the Amendment of the hon. Baronet the Member for Chelsea.

SIR HENRY SELWIN-IBBETSON did not wish the Committee to divide without a clear knowledge of what he stated he would do. What he had stated was that he had gone carefully into this case, and that he believed the tolls, however exceptionally high they might be considered, could not be looked upon as a counterpart for the expense the City was put to for the creation and maintenance of this particular market. Such was his impression, and therefore it was that no alteration of the tolls had been proposed in this Bill. But if it could be shown that the receipts were sufficient to justify a change in the scale of tolls, taking into consideration the question of loss to the Corporation by the removal of the cattle from the original market, then he should be prepared to alter the Bill so as to provide for a reduction of the tolls.

Mr. CHAMBERLAIN could not help thinking that the hon. Baronet already possessed sufficient information to enable him to say whether the tolls charged by the City were excessive or not. He could not understand why Parliament should treat the City of London in a different way to that in which it treated other Corporations. How did it deal, for instance, with Gas and Water Companies when they came to the House and asked to raise additional capital? In every case there was a clause inserted prohibiting them from making more than 6 per cent in the case of Water, and 7 per cent in the case of Gas Companies. The other day, the great Corporation of Manchester came to Parliament to ask for powers to enable them to supply their district with water, and it was actually imposed upon them that they should only obtain 4½ or 5 per cent for their outlay from other local bodies whom they were to supply. The hon. Member for the City of London (Mr. Alderman Cotton) admitted that last year they got a net profit of £11,000 or £12,000, in addition to the interest and sinking fund, which amounted to another £12,000. [Mr. Alderman Cotton: £9,000 of that had to be spent this year.] The hon. Member admitted there was an absolute net profit of £11,000. They could not reckon the net profit until they had paid the necessary expenses for interest to the persons who lent the money and to the sinking fund. It was given in evidence before the Committee that the total sum expended by the City was £235,000, and anybody could calculate that the sinking fund upon that amount would come to between £11,000 and £12,000 altogether; and the City, were making, according to their own admission, something like £23,000 per annum. Those two sums amounted to about 10 per cent on the capital expended; and what he wanted to know was, why Manchester should be tied down to only 4½ per cent, when the City of London made 10 per cent? The proof that the tolls were excessive was contained in another fact which was given before the Committee —namely, that they were something like eight times as high as they were at the Islington Market. This difference was, in a great measure, due to the fact of a misapprehension. The maximum charge was fixed, as it allowed 10 days' lairage for cattle and other animals; whereas the majority of cattle did not remain in lairage for 10 days. He urged that these tolls should be reduced, and the City not allowed to make an excessive profit.

Mr. W. E. FORSTER thought his hon. Friend the Member for Chelsea ought to accept the offer of the Secretary to the Treasury. They knew that the Government could get a majority on this question, and if the hon. Baronet went to a division he would be defeated. The Secretary to the Treasury had declared that he would look into the question, and if he found the facts were as stated, that he would introduce a clause dealing with the matter. It would be better for his hon. Friend to accept that assurance, and withdraw his Amendment.

Sir CHARLES W. DILKE said, that, under the circumstances, he would withdraw not only the Amendment now under consideration, but also the next one which stood in his name on the Paper.

Amendment, by leave, *withdrawn.*

Clause *agreed to.*

Committee report Progress; to sit again *To-morrow.*

House adjourned at five minutes before Six o'clock.

HOUSE OF LORDS,

Thursday, 18th July, 1878.

MINUTES.]—Public Bills—*First Reading*—Debtors Acts Amendment* (163).
Second Reading—Commutation of Tithes* (151); County of Hertford* (154).
Third Reading—Innkeepers* (160); Supreme Court of Judicature (Officers)* (158), and *passed.*

CONGRESS—CORRESPONDENCE AND PROTOCOLS.

THE EARL OF BEACONSFIELD: My Lords, in laying on the Table of your Lordships' House, as I am about to do, the Protocols of the Congress of Berlin, I have thought I should be only doing my duty to your Lordships' House, to Parliament generally, and to the country, if I made some remarks on the policy which was supported by the Representatives of Her Majesty at the Congress, and which is embodied in the Treaty of Berlin and in the Convention which was placed on your Lordships' Table during my absence.

My Lords, you are aware that the Treaty of San Stefano was looked on with much distrust and alarm by Her Majesty's Government—that they believed it was calculated to bring about a state of affairs dangerous to European independence, and injurious to the interests of the British Empire. Our impeachment of that policy is before your Lordships and the country, and is contained in the Circular of my noble Friend the Secretary of State for Foreign Affairs in April last. Our present contention is that we can show that, by the changes and modifications which have been made in the Treaty of San Stefano by the Congress of Berlin and by the Convention of Constantinople, the menace to European independence has been removed, and the threatened injury to the British Empire has been averted. Your Lordships will recollect that by the Treaty of San Stefano about one-half of Turkey in Europe was formed into a State called Bulgaria—a State consisting of upwards of 50,000 geographical square miles, and containing a population of 4,000,000, with harbours on either sea—both on the shores of the Euxine and of the Archipelago. That disposition of territory severed Constantinople and the limited district which was still spared to the possessors of that city—severed it from the Provinces of Macedonia and Thrace by Bulgaria descending to the very shores of the Ægean; and, altogether, a State was formed which, both from its natural resources and its peculiarly favourable geographical position, must necessarily have exercised a predominant influence over the political and commercial interests of that part of the world. The remaining portion of Turkey in Europe was reduced also to a considerable degree by affording what was called compensation to previous rebellious tributary Principalities, which have now become independent States—so that the general result of the Treaty of San Stefano was, that while it spared the authority of the Sultan so far as his capital and its immediate vicinity, it reduced him to a state of subjection to the great Power which had defeated his Armies, and which was present at the gates of his capital. Accordingly, though it might be said that he still seemed to be invested with one of the highest functions of public duty—the protection and custody of the Straits—it was apparent that his authority in that respect could be exercised by him only in deference to the superior Power which had vanquished him, and to whom the proposed arrangements would have kept him in subjection. My Lords, in these matters the Congress of Berlin have made great changes. They have restored to the Sultan two-thirds of the territory which was to have formed the great Bulgarian State. They have restored to him upwards of 30,000 geographical square miles, and 2,500,000 of population—that territory being the richest in the Balkans where most of the land is rich, and the population one of the wealthiest, most ingenious, and most loyal of his subjects. The frontiers of his State have been pushed forward from the mere environs of Salonica and Adrianople to the lines of the Balkans and Trajan's Pass; the new Principality, which was to exercise such an influence, and produce a revolution in the disposition of the territory and policy of that part of the globe is now merely a State in the Valley of the Danube, and both in its extent and its population is reduced to one-third of what was contemplated by the Treaty of San Stefano. My Lords, it has been said that while the Congress of Berlin decided upon a policy so bold as that of declaring the range of the Balkans as the frontier of what may now be called New Turkey, they have, in fact, furnished it with a frontier which, instead of being impregnable, is in some parts undefended, and is altogether one of an inadequate character. My Lords, it is very difficult to decide, so far as nature is concerned, whether any combination of circumstances can ever be brought about which would furnish what is called an impregnable frontier. Whether it be river, desert, or mountainous range, it will be found, in the long run, that the impregnability of a frontier must be supplied by the vital spirit of man; and that it is by the courage, discipline, patriotism, and devotion of a population that impregnable frontiers can alone be formed. And, my Lords, when I remember what race of men it was that created and defended Plevna, I must confess my confidence that, if the cause be a good one, they will not easily find that the frontier of the Balkans is indefensible. But it is said that although the Congress has furnished—and it pretended to furnish nothing more—a competent military frontier to Turkey, the disposition was so ill-managed that, at the same time, it failed to secure an effective barrier—that in devising the frontier, it so arranged matters that this very line of the Balkans may be turned. The Congress has been charged with having committed one of the greatest blunders that could possibly have been accomplished by leaving Sofia in the possession of a Power really independent of Turkey, and one which, in the course of time, might become hostile to Turkey. My Lords, this is, in my opinion, an error on the part of those who furnish information of an authentic character to the different populations of Europe, who naturally desire to have correct information on such matters. It is said that the position of Sofia is of a commanding character, and that of its value the Congress were not aware, and that it was yielded to an imperious demand on the part of one of the Powers represented at the Congress. My Lords, I can assure your Lordships that there is not a shadow of truth in the statement. I shall show that when the Congress resolved to establish the line of the Balkans as the frontier of Turkey, they felt that there would have been no difficulty, as a matter of course, in Turkey retaining the possession of Sofia. What happened was this. The highest military authority of the Turks—so I think I may describe him—was one of the Plenipotentiaries at the Congress of the Porte—I allude to Mehemet Ali Pasha. Well, the moment the line of the Balkans was spoken of, he brought under the notice of his Colleagues at the Conference—and especially, I may say, of the Plenipotentiaries of England—his views on the subject; and, speaking as he did not only with military authority, but also with consummate acquaintance with all these localities, he said nothing could be more erroneous than the idea that Sofia was a strong strategical position, and that those who possessed it would immediately turn the Balkans and march on Constantinople. He said that as a strategical position it was worthless; but that there was a position in the Sandjak of Sofia which, if properly defended, might be regarded as impregnable, and that was the Pass of Ichtiman. He thought it of vital importance to the Sultan that that position should be secured to Turkey, as then His Majesty would have an efficient defence to his capital. That position was secured. It is a pass which, if properly defended, will prevent any host, however powerful, from taking Constantinople by turning the Balkans. But, in consequence of that arrangement, it became the duty of the Plenipotentiaries to see what would be the best arrangement in regard of Sofia and its immediate districts. The population of Sofia and its district are, I believe, without exception, Bulgarian, and it was thought wise, they being Bulgarians, that, if possible, it should be included in Bulgaria. That was accomplished by exchanging it for a district in which the population, if not exclusively, are numerically, Mahomedan, and which, so far as the fertility of the land is concerned, is an exchange highly to the advantage of the Porte. That, my Lords, is a short account of an arrangement which I know has for a month past given rise in Europe, and especially in this country, to a belief that it was in deference to Russia that Sofia was not retained, and that by its not having been retained Turkey had lost the means of defending herself, in the event of her being again plunged into war.

My Lords, it has also been said, with regard to the line of the Balkans, that it was not merely in respect of the possession of Sofia an error was committed, but that the Congress made a great mistake in not retaining Varna. My Lords, I know that there are in this Assembly many Members who have recollections—glorious recollections—of that locality. They will know at once that if the line of the Balkans were established as the frontier, it would be impossible to include Varna, which is to the North of the Balkans. Varna itself is not a place of importance, and only became so in connection with a system of fortifications which are now to be rased. No doubt, in connection with a line of strongholds, Varna formed a part of a system of defence; but of itself Varna is not a place of importance. Of itself it is only a roadstead, and those who dwell upon the importance of Varna and consider that it was a great error on the part of the Congress not to have secured it for Turkey, quite forget that between the Bosphorus and Varna, upon the coast of the Black Sea, the Congress has allotted to Turkey by far a much more important point on the Black Sea—the harbour of Burgas. My Lords, I think I have shown that the charges made against the Congress on these three grounds—the frontiers of the Balkans, the non-retention of Sofia, and the giving up of Varna—have no foundation whatever.

Well, my Lords, having established the Balkans as the frontier of Turkey in Europe, the Congress resolved that South of the Balkans, to a certain extent, the country should be formed into a Province to which should be given the name of Eastern Roumelia. At one time, it was proposed by some to call it South Bulgaria; but it was manifest that with such a name between it and North Bulgaria, there would be constant intriguing to bring about a union between the two Provinces. We, therefore, thought that the Province of East Roumelia should be formed, and that there should be established in it a Government somewhat different from that of contiguous Provinces where the authority of the Sultan might be more unlimited. I am not myself of opinion that, as a general rule, it is wise to interfere with a military Power which you acknowledge; but, though it might have been erroneous, as a political principle, to limit the military authority of the Sultan, yet there are in this world other things besides political principles — there are such things as historical facts, and he would not be a prudent statesman who did not take into consideration historical facts as well as political principles. The Province which we have formed into Eastern Roumelia had been the scene of many excesses, by parties on both sides, to which human nature looks with deep regret; and it was thought advisable, in making these arrangements for the peace of Europe, that we should take steps to prevent the probable recurrence of such events. Yet to do this and not give the Sultan a direct military authority in the Province, would have been, in our opinion, a grievous error. We have, therefore, decided that the Sultan should have the power to defend the barrier of the Balkans with all his available force. He has power to defend his frontiers by land and by sea, both by the passes of the mountains and the ports and strongholds of the Black Sea. No limit has been placed on the amount of force he may bring to bear with that object. No one can dictate to him what the amount of that force shall be; but, in respect of the interior and the internal government of the Province, we thought the time had arrived when we should endeavour to carry into effect some of those important proposals intended for the better administration of the States of the Sultan which were discussed and projected at the Conference of Constantinople. My Lords, I will not enter into any minute details on these questions. They might weary you at this moment, and I have several other matters on which I must yet touch; but, generally speaking, I imagine there are three great points which we shall have before us in any attempt to improve the administration of Turkish Dominion. First of all, it is most important—and we have so established it in Eastern Roumelia—that the office of Governor shall be for a specific period, and that, as in India, it should not be for less than five years. If that system generally obtained in the Dominions of the Sultan, I believe it would be of incalculable benefit. Secondly, we thought it desirable that there should be instituted public assemblies, in which the popular element should be adequately represented, and that the business of those assemblies should be to levy and administer the local finances of the Province. And, thirdly, we thought it equally important that order should be maintained in this Province, either by a *gendarmerie* of adequate force or by a local militia, in both cases the officers holding their commissions from the Sultan. But the whole subject of the administration of Eastern Roumelia has been referred to an Imperial Commission at Constantinople, and this Commission, after making its investigations, will submit recommendations to the Sultan, who will issue Firmans to carry those recommendations into effect. I may mention here—as it may save time—that in all the arrangements which have been made to improve the condition of the subject-races of Turkey in Europe, inquiry by local commissions in all cases where investigation may be necessary is contemplated. Those commissions are to report their results to the Chief Commission, and, after the Firman of the Sultan has been issued, the changes will take place. It is supposed that in the course of three months from the time of the ratification of the Treaty of Berlin, the principal arrangments may be effected.

My Lords, I may now state what has been effected by the Congress in respect of Bosnia—that being a point on which I think considerable error prevails. One of the most difficult matters we had to encounter in attempting what was the object of the Congress of Berlin—namely, to re-establish the Sultan as a real and substantial authority—was the condition of some of his distant Provinces, and especially of Bosnia. The state of Bosnia, and of those Provinces and Principalities contiguous to it, was one of chronic anarchy. There is no language which can describe adequately the condition of that large portion of the Balkan Peninsula occupied by Roumania, Servia, Bosnia, Herzegovina, and other Provinces. Political intrigues, constant rivalries, a total absence of all public spirit and of the pursuit of objects which patriotic minds would wish to accomplish, the hatred of races, the animosities of rival religions, and, above all, the absence of any controlling power that could keep these large districts in anything like order—such were the sad truths, which no one who has investigated the subject could resist for a moment. Hitherto—at least until within the last two years—Turkey had some semblance of authority, which, though it was rarely adequate, and when adequate, was unwisely exercised, still was an authority to which the injured could appeal, and which sometimes might control violence. But the Turkey of the present time was in no condition to exercise that authority. I inquired into the matter of those most competent to give an opinion, and the result of my investigation was a conviction that nothing short of an Army of 50,000 men of the best troops of Turkey would produce anything like order in those parts, and that, were the attempt to be made, it would be contested and resisted, and might finally be defeated. But what was to be said at a time when all the statesmen of Europe were attempting to concentrate and condense the resources of the Porte with the view of strengthening them—what would have been the position of the Porte if it had to commence its new career—a career, it is to be hoped, of amelioration and tranquillity—by despatching a large Army to Bosnia to deal with those elements of difficulty and danger? It is quite clear, my Lords, that such an effort at this moment by Turkey might bring about its absolute ruin. Then what was to be done? There have been before, in the history of diplomacy, not unfrequent instances in which, even in civilized parts of the globe, States having fallen into decrepitude, have afforded no assistance to keep order and tranquillity, and have become, as these districts have become, a source of danger to their neighbours. Under such circumstances, the Powers of Europe have generally looked to see whether there was any neighbouring Power of a character entirely different from those disturbed and desolated regions, but deeply interested in their welfare and prosperity, who would undertake the task of attempting to restore their tranquillity and prosperity. In the present case, you will see that the position of Austria is one that clearly indicates her as fitted to undertake such an office. It is not the first time that Austria has occupied Provinces at the request of Europe to insure that order and tranquillity, which are European interests, might prevail in them. Not once, twice, or thrice has Austria undertaken such an office. There may be differences of opinion as to the policy on which Austria has acted, or as to the principles of government which she has maintained; but that has nothing to do with the fact that, under circumstances similar to those which I have described as existing in Bosnia and the Provinces contiguous to it, Austria has been invited and has interfered in the manner I have described, and has brought about order and tranquillity. Austria, in the present case, was deeply interested that some arrangement should be made. Austria, for now nearly three years, has had upwards of 150,000 refugees from Bosnia, which have been supported by her resources, and whose demands notoriously have been of a vexatious and exhausting character. It was, therefore, thought expedient by the Congress that Austria should be invited to occupy Bosnia, and not to leave it until she had deeply laid the foundations of tranquillity and order. My Lords, I am the last man who would wish, when objections are made to our proceedings, to veil them under the decision of the Congress; it was a decision which the Plenipotentiaries of England highly approved. It was a proposal which, as your Lordships will see when you refer to the Protocols which I shall lay on the Table to-night, was made by my noble Friend the Secretary of State, that Austria should accept this trust and fulfil this duty; and I earnestly supported him on that occasion. My Lords, in consequence of that arrangement, cries have been raised against our "partition of Turkey." My Lords, our object has been directly the reverse—our object has been to prevent partition. The question of partition is one upon which, it appears to me, very erroneous ideas are in circulation. Some two years ago —before, I think, the war had commenced, but when the disquietude and dangers of the situation were very generally felt—there was a school of statesmen who were highly in favour of what they believed to be the only remedy —what they called the partition of Turkey. Those who did not agree with them were those who thought we should, on the whole, attempt the restoration of Turkey. Her Majesty's Government at all times have resisted the partition of Turkey. They have done so, because, exclusive of the high moral considerations that are mixed up with the subject, they believed an attempt, on a great scale, to accomplish the partition of Turkey would inevitably lead to a long, a sanguinary, and often-recurring struggle, and that Europe and Asia would both be involved in a series of troubles and sources of disaster and danger of which no adequate idea could be formed. These professors of partition—quite secure, no doubt, in their own views—have freely spoken to us on this subject. We have been taken up to a high mountain and shown all the Kingdoms of the earth, and they have said—"All these shall be yours if you will worship Partition." But we have declined to do so, for the reasons I have shortly given. And it is a remarkable circumstance that after the great war, and after the prolonged diplomatic negotiations, which lasted during nearly a period of three years, on this matter, the whole Powers of Europe, including Russia, have strictly, and as completely as ever, come to the unanimous conclusion that the best chance for the tranquillity and order of the world is to retain the Sultan as part of the acknowledged political system of Europe. My Lords, unquestionably after a great war —and I call the late war a great war, because the greatness of a war now must not be calculated by its duration, but by the amount of the forces brought into the field, and where a million of men have struggled for supremacy, as has been the case recently, I call that a great war—but, I say, after a great war like this, it is utterly impossible that you can have a settlement of any permanent character without a re-distribution of territory and considerable changes. But that is not partition. My Lords, a country may have lost provinces, but that is not partition. We know that not very long ago a great country—one of the foremost countries of the world—lost provinces; yet, is not France one of the great Powers of the world, and with a future—a commanding future? Austria herself has lost provinces—more provinces even than Turkey, perhaps; even England has lost provinces—the most precious possessions—the loss of which every Englishmen must deplore to this moment. We lost them from bad government. Had the principles which now obtain between the Metropolis and her Dependencies prevailed then, we should not, perhaps, have lost those provinces, and the power of this Empire would have been proportionally increased. It is perfectly true that the Sultan of Turkey has lost provinces; it is true that his Armies have been defeated; it is true that his enemy is even now at his gates; but all that has happened to other Powers. But a Sovereign who has not yet forfeited his capital, whose capital has not yet been occupied by his enemy—and that capital one of the strongest in the world—who has Armies and Fleets at his disposal, and still rules over 20,000,000 of inhabitants, cannot be described as a Power whose Dominions have been partitioned. My Lords, it has been said that no limit has been fixed to the occupation of Bosnia by Austria. Well, I think that was a very wise step. The moment you limit an occupation you deprive it of half its virtue. All those opposed to the principles which occupation was devised to foster and strengthen feel they have only to hold their breath and wait a certain time, and the opportunity for their interference would again present itself. Therefore, I cannot agree with the objection which is made to the arrangement with regard to the occupation of Bosnia by Austria on the question of its duration.

My Lords, there is a point on which I feel it now my duty to trouble your Lordships, and that is the question of Greece. A severe charge has been made against the Congress, and particularly against the English Plenipotentiaries, for not having sufficiently attended to the interests and claims of Greece. My Lords, I think you will find on reflection that that charge is utterly unfounded. The English Government were the first that expressed the desire that Greece should be heard at the Congress. But, while they expressed that desire, they communicated confidentially to Greece that it must on no account associate that desire on the part of the Government with any engagement for the re-distribution of territory. That was repeated, and not merely once repeated. The Greek inhabitants, apart from the Kingdom of Greece, are a considerable element in the Turkish Empire, and it is of the greatest importance that their interests should be sedulously attended to. One of the many evils of that large Slav State—the Bulgaria of the San Stefano Treaty—was, that it would have absorbed, and made utterly to disappear from the earth, a considerable Greek population. At the Congress the Greeks were heard, and they were heard by Representatives of considerable eloquence and ability; but it was quite clear, the moment they put their case before the Congress, that they had totally misapprehended the reason why the Congress had met together, and what were its objects and character. The Greek Representatives, evidently, had not in any way relinquished what they call their great idea—and your Lordships well know that it is one that has no limit which does not reach as far as Constantinople. But they did mention at the Congress, as a practical people, and feeling that they had no chance of obtaining at that moment all they desired—that they were willing to accept as an instalment the two large Provinces of Epirus and Thessaly, and the Island of Crete. It was quite evident to the Congress that the Representatives of Greece utterly misunderstood the objects of our labours—that we were not there to partition Turkey, and give them their share of Turkey, but for a very contrary purpose—as far as we could, to re-establish the Dominion of the Sultan on a rational basis, to condense and concentrate his authority, and to take the opportunity—of which we have largely availed ourselves—of improving the condition of his subjects. I trust, therefore, when I have pointed out to your Lordships this cardinal error in the views of Greece, that your Lordships will feel that the charge made against the Congress has no substantial foundation. But the interests of Greece were not neglected, and least of all by Her Majesty's Government. Before the Congress of Berlin, believing that there was an opportunity of which considerable advantage might be made for Greece without deviating into partition, we applied to the Porte to consider the long-vexed question of the boundaries of the two States. The boundaries of Greece have always been inadequate and inconvenient; they are so formed as to offer a premium to brigandage—which is the curse of both countries, and has led to misunderstanding and violent intercourse between the inhabitants of both. Now, when some re-distribution—and a considerable re-distribution—of territories was about to take place—now, we thought, was the opportunity for Greece to urge her claim; and that claim we were ready to support, and to reconcile the Porte to viewing it in a large and liberal manner. And I am bound to say that the manner in which our overtures were received by the Porte was encouraging, and more than encouraging. For a long period Her

Majesty's Government have urged upon both countries, and especially upon Greece, the advantage of a good understanding between them. We urged that it was only by union betwen Turks and Greeks that any re-action could be obtained against that overpowering Slav interest which was then exercising such power in the Peninsula, and which had led to this fatal and disastrous war. More than this, on more than one occasion—I may say, on many occasions—we have been the means of preventing serious misunderstandings between Turkey and Greece, and on every occasion we have received from both States an acknowledgment of our good offices. We were, therefore, in a position to assist Greece in this matter. But, of course, to give satisfaction to a State which coveted Constantinople for its capital, and which talked of accepting large Provinces and a powerful Island as only an instalment of its claims for the moment was difficult. It was difficult to get the views of that Government accepted by Turkey, however inclined it might be to consider a re-construction of frontiers on a large and liberal scale. My noble Friend the Secretary of State did use all his influence, and the result was that, in my opinion, Greece has obtained a considerable accession of resources and strength. But we did not find, on the part of the Representatives of Greece, that response or that sympathy which we should have desired. Their minds were in another quarter. But though the Congress could not meet such extravagant and inconsistent views as those urged by Greece—views which were not in any way within the scope of the Congress or the area of its duty—we have still, as will be found in the Treaty, or certainly in the Protocol, indicated what we believe to be a rectification of frontier which would add considerably to the strength and resources of Greece. Therefore, I think, under all the circumstances, it will be acknowledged that Greece has not been neglected. Greece is a country so interesting that it enlists the sympathies of all educated men. Greece has a future; and I would say, if I might be permitted, to Greece, what I would say to an individual who has a future—"Learn to be patient."

Now, my Lords, I have touched upon most of the points connected with Turkey in Europe. My summary is that at this moment—of course, no longer counting Servia or Roumania, once tributary Principalities, as part of Turkey; not counting even the New Bulgaria, though it is a tributary Principality, as part of Turkey; and that I may not be taunted with taking an element which I am hardly entitled to place in the calculation, omitting even Bosnia—European Turkey still remains a Dominion of 60,000 geographical square miles, with a population of 6,000,000, and that population in a very great degree concentrated and condensed in the Provinces contiguous to the capital. My Lords, it was said, when the line of the Balkans was carried—and it was not carried until after long and agitating discussions—it was said by that illustrious statesman who presided over our labours, that "Turkey in Europe once more exists." My Lords, I do not think that, so far as European Turkey is concerned, this country has any right to complain of the decisions of the Congress, or, I would hope, of the labours of its Plenipotentiaries. You cannot look at the map of Turkey as it had been left by the Treaty of San Stefano, and as it has been re-arranged by the Treaty of Berlin, without seeing that great results have accrued. If these results had been the consequences of a long war—if they had been the results of a struggle like that we underwent in the Crimea—I do not think they would have been even then unsubstantial or unsatisfactory. My Lords, I hope that you and the country will not forget that these results have been obtained without shedding the blood of a single Englishman; and if there has been some expenditure, it has been an expenditure which, at least, has shown the resources and determination of this country. Had you entered into that war for which you were prepared—and well prepared—probably in a month you would have exceeded the whole expenditure you have now incurred.

My Lords, I now ask you for a short time to quit Europe and to visit Asia, and consider the labours of the Congress in another quarter of the world. My Lords, you well know that the Russian arms met with great success in Asia, and that in the Treaty of San Stefano considerable territories were yielded by Turkey to Russia. In point of population, they may not appear to be of that importance that they are generally considered;

because it is a fact which should be borne in mind that the population which was yielded to Russia by Turkey amounted to only about 250,000 souls; and, therefore, if you look to the question of population and to the increase of strength to a State which depends on population, you would hardly believe that the acquisition of 250,000 new subjects is a sufficient return for the terrible military losses which inevitably must accrue from campaigns in that country. But, although the amount of population was not considerable, the strength which the Russians acquired was of a very different character. They obtained Kars by conquest—they obtained Ardahan—another stronghold—they obtained Bayazid, and the Valley of Alashkerd with the adjoining territory, which contain the great commercial routes in that part of the world. They also obtained the port of Batoum. Now, my Lords, the Congress of Berlin have so far sanctioned the Treaty of San Stefano that, with the exception of Bayazid and the Valley which I have mentioned—no doubt very important exceptions, and which were yielded by Russia to the views of the Congress—they have consented to the yielding of the places I have named to Russia. The Congress have so far approved the Treaty of San Stefano that they have sanctioned the retention by Russia of Kars and Batoum. Now the question arises—the Congress having come to that determination—was it a wise step on the part of the Plenipotentiaries of Her Majesty to agree to that decision? That is a question which may legitimately be asked. We might have broken up the Congress, and said—"We will not consent to the retention of those places by Russia, and we will use our force to oblige her to yield them up." Now, my Lords, I wish fairly to consider what was our position in this state of affairs. It is often argued as if Russia and England had been at war, and peace was negotiating between the two Powers. That was not the case. The rest of Europe were critics over a Treaty which was a real Treaty that existed between Russia and Turkey. Turkey had given up Batoum, she had given up Kars and Ardahan, she had given up Bayazid. In an examination of the question, then, we must remember that Russia at this moment, so far as Europe is concerned, has acquired in Europe nothing but a very small portion of territory, occupied by 130,000 inhabitants. Well, she naturally expected to find some reward in her conquests in Armenia for the sacrifices which she had made. Well, my Lords, consider what those conquests are. There was the strong fort of Kars. We might have gone to war with Russia in order to prevent her acquiring Kars and Batoum, and other places of less importance. The war would not have been, probably, a very short war. It would have been a very expensive war—and, like most wars, it would probably have ended in some compromise, and we should have got only half what we had struggled for. Let us look these two considerable points fairly in the face. Let us first of all take the great stronghold of Kars. Three times has Russia captured Kars. Three times, either by our influence or by other influences, it has been restored to Turkey. Were we to go to war for Kars and restore it to Turkey, and then to wait till the next misunderstanding between Russia and Turkey, when Kars should have been taken again? Was that an occasion of a *casus belli?* I do not think your Lordships would ever sanction a war carried on for such an object and under such circumstances. Then, my Lords, look at the case of Batoum, of which your Lordships have heard so much. I should have been very glad if Batoum had remained in the possession of the Turks, on the general principle that the less we had reduced its territory in that particular portion of the globe, the better it would be as regards the prestige on which the influence of the Ottoman Porte much depends there. But let us see what is this Batoum of which you have heard so much? It is generally spoken of in society and in the world as if it were a sort of Portsmouth—whereas, in reality, it should rather be compared with Cowes. It will hold three considerable ships, and if it were packed like the London Docks, it might hold six; but in that case the danger, if the wind blew from the North, would be immense. You cannot increase the port seaward; for though the water touching the shore is not absolutely fathomless, it is extremely deep, and you cannot make any artificial harbour or breakwater. Unquestionably, in the interior the port might be increased, but it can only be increased by first-rate engineers, and by the expenditure of millions of capital; and if we were to calculate the completion of the port by the precedents which exist in many countries, and certainly in the Black Sea, it would not be completed under half a century. Now is that a question for which England would be justified in going to war with Russia? My Lords, we have, therefore, thought it advisable not to grudge Russia those conquests that have been made —especially after obtaining the restoration of the town of Bayazid and its important district.

But it seemed to us the time had come when we ought to consider whether certain efforts should not be made to put an end to these perpetually recurring wars between the Porte and Russia, ending, it may be, sometimes apparently in comparatively insignificant results; but always terminating with one fatal consequence—namely, shaking to the centre the influence and the prestige of the Porte in Asia and diminishing its means of profitably and advantageously governing that country. My Lords, it seemed to us that as we had now taken, and as Europe generally had taken, so avowedly deep an interest in the welfare of the subjects of the Porte in Europe, the time had come when we ought to consider whether we could not do something which would improve the general condition of the Dominions of the Sultan in Asia; and instead of these most favoured portions of the globe every year being in a more forlorn and disadvantageous position, whether it would not be possible to take some steps which would secure at least tranquillity and order; and, when tranquillity and order were secured, whether some opportunity might not be given to Europe to develop the resources of a country which Nature has made so rich and teeming? My Lords, we occupy with respect to this part of the world a peculiar position, which is shared by no other Power. Our Indian Empire is on every occasion on which these discussions occur, or these troubles occur, or these settlements occur—our Indian Empire is to England a source of grave anxiety, and the time appeared to have arrived when, if possible, we should terminate that anxiety. In all the questions connected with European Turkey we had the assistance and sympathy sometimes of all, and often of many of the European Powers —because they were interested in the question who should possess Constantinople, and who should have the command of the Danube and the freedom of the Mediterranean. But when we come to considerations connected with our Oriental Empire itself, they naturally are not so generally interested as they are in those which relate to the European portion of the Dominions of the Porte, and we have to look to our own resources alone. There has been no want, on our part, of invitations to neutral Powers to join with us in preventing or in arresting war. Besides the great Treaty of Paris there was the Tripartite Treaty, which, if acted upon, would have prevented war. But that Treaty could not be acted upon, from the unwillingness of the parties to it to act; and therefore we must clearly perceive that if anything could be effectually arranged, as far as our Oriental Empire is concerned, the arrangements must be made by ourselves. Now, this was the origin of that Convention at Constantinople which is on your Lordships' Table, and in that Convention our object was not merely a military or chiefly a military object. Our object was to place this country certainly in a position in which its advice and in which its conduct might at least have the advantage of being connected with a military power and with that force which it is necessary to possess often in great transactions, though you may not fortunately feel that it is necessary to have recourse to that force. Our object in entering into that arrangement with Turkey was, as I said before, to produce tranquillity and order. When tranquillity and order were produced, we believed that the time would come when the energy and enterprize of Europe might be invited to what really is another Continent, as far as the experience of man is concerned, and that its development will add greatly not merely to the wealth and the prosperity of the inhabitants, but to the wealth and prosperity of Europe. My Lords, I am surprised to hear—for though I have not heard it myself from any authority, it is so generally in men's mouths that I am bound to notice it—that the step we have taken should be represented as one that is calculated to excite the suspicion or enmity of any of our Allies, or of any State. My Lords, I am convinced that when a little time has elapsed, and when people are better acquainted with this subject than they are at present, no one will accuse England of having acted in this matter but with frankness and consideration for other Powers. And if there be a Power in existence to which we have endeavoured to show most consideration from particular circumstances in this matter it is France. There is no step of this kind that I would take without considering the effect it might have upon the feelings of France—a nation to whom we are bound by almost every tie that can unite a people, and with whom our intimacy is daily increasing. If there could be any step which of all others was least calculated to excite the suspicion of France, it would appear to be this—because we avoided Egypt, knowing how susceptible France is with regard to Egypt; we avoided Syria, knowing how susceptible France is on the subject of Syria; and we avoided availing ourselves of any part of the *terra firma*, because we would not hurt the feelings or excite the suspicions of France. France knows that for the last two or three years we have listened to no appeal which involved anything like an aquisition of territory, because the territory which might have come to us would have been territory which France would see in our hands with suspicion and dislike. But I must make this observation to your Lordships. We have a substantial interest in the East; it is a commanding interest, and its behest must be obeyed. But the interest of France in Egypt, and her interest in Syria, are, as she acknowledges, sentimental and traditionary interests; and, although I respect them, and although I wish to see in the Lebanon and in Egypt the influence of France fairly and justly maintained, and although her officers and ours in that part of the world—and especially in Egypt—are acting together with confidence and trust, we must remember that our connection with the East is not merely an affair of sentiment and tradition, but that we have urgent and substantial and enormous interests which we must guard and keep. Therefore, when we find that the progress of Russia is a progress which, whatever may be the intentions of Russia, necessarily in that part of the world produces such a state of disorganization and want of confidence in the Porte, it comes to this—that if we do not interfere in vindication of our own interests, that part of Asia must become the victim of anarchy, and ultimately become part of the possessions of Russia.

Now, my Lords, I have ventured to review the chief points connected with the subject on which I wished to address you—namely, what was the policy pursued by us, both at the Congress of Berlin and in the Convention of Constantinople? I am told, indeed, that we have incurred an awful responsibility by the Convention into which we have entered. My Lords, a prudent Minister certainly would not recklessly enter into any responsibility; but a Minister who is afraid to enter into responsibility is, in my mind, not a prudent Minister. We do not, my Lords, wish to enter into any unnecessary responsibility; but there is one responsibility from which we certainly shrink; we shrink from the responsibility of handing to our successors a diminished or a weakened Empire. Our opinion is that the course we have taken will arrest the great evils which are destroying Asia Minor and the equally rich countries beyond. We see in the present state of affairs the Porte losing its influence over its subjects; we see a certainty, in our opinion, of increasing anarchy, of the dissolution of all those ties which, though feeble, yet still exist, and which have kept society together in those countries. We see the inevitable result of such a state of things, and we cannot blame Russia availing herself of it. But, yielding to Russia what she has obtained, we say to her—"Thus far, and no farther." Asia is large enough for both of us. There is no reason for these constant wars, or fears of wars, between Russia and England. Before the circumstances which led to the recent disastrous war, when none of those events which we have seen agitating the world had occurred, and when we were speaking in "another place" of the conduct of Russia in Central Asia, I vindicated that conduct, which I thought was unjustly attacked, and I said then, what I repeat now—there is room enough for Russia and England in Asia. But the room that we require we must secure. We have, therefore, entered into an alliance—a defensive alliance—with Turkey, to guard her against any further attack from Russia. We believe that the result of this Convention will be order and tranquillity. And then it will be for Europe—for we ask no exclusive privileges or commercial advantages—it will then be for Europe to assist England in availing ourselves of the wealth which has been so long neglected and undeveloped in regions once so fertile and so favoured. We are told, as I have said before, that we are undertaking great responsibilities. From those responsibilities we do not shrink. We think that, with prudence and discretion, we shall bring about a state of affairs as advantageous for Europe as for ourselves; and in that conviction we cannot bring ourselves to believe that the act which we have recommended is one that leads to trouble and to warfare. No, my Lords. I am sure there will be no jealousy between England and France upon this subject. In taking Cyprus the movement is not Mediterranean; it is Indian. We have taken a step there which we think necessary for the maintenance of our Empire and for its preservation in peace. If that be our first consideration, our next is the development of the country. And upon that subject I am told that it was expected to-night that I should in detail lay before the House the minute system by which all those results, which years may bring about, are instantly to be acquired. I, my Lords, am prepared to do nothing of the kind. We must act with considerable caution. We are acting with a Power, let me remind the House, which is an independent Power—the Sultan—and we can decide nothing but with his consent and sanction. We have been in communication with that Prince—who, I may be allowed to remind the House, has other things to think about, even than Asia Minor; for no man was ever tried, from his accession to the Throne till this moment, so severely as the Sultan has been; but he has invariably during his reign expressed his desire to act with England and to act with Europe, and especially in the better administration and management of his affairs. The time will come—and I hope it is not distant—when my noble Friend the Secretary of State for Foreign Affairs may be able to communicate to the House details of these matters, which will be most interesting. But we must protest against being forced into statements on matters of importance which are necessarily still immature. And we must remember that, formally speaking, even the Treaty of Berlin has not been ratified, and there are many things which cannot even be commenced until the ratification of that Treaty has occurred.

My Lords, I have now laid before you the general outline of the policy that we have pursued, both in the Congress of Berlin and at Constantinople. They are intimately connected with each other, and they must be considered together. I only hope that the House will not misunderstand—and I think the country will not misunderstand—our motives in occupying Cyprus, and in encouraging those intimate relations between ourselves and the Government and the population of Turkey. They are not movements of war; they are operations of peace and of civilization. We have no reason to fear war. Her Majesty has Fleets and Armies which are second to none. England must have seen with pride the Mediterranean covered with her ships; she must have seen with pride the discipline and devotion which have been shown to her and her Government by all her troops, drawn from every part of her Empire. I leave it to the illustrious Duke, in whose presence I speak, to bear witness to the spirit of Imperial patriotism which has been exhibited by the troops from India which he recently reviewed at Malta. But it is not on our Fleets and Armies, however necessary they may be for the maintenance of our Imperial strength, that I alone or mainly depend in that enterprize on which this country is about to enter. It is on what I most highly value—the consciousness that in the Eastern nations there is confidence in this country, and that, while they know we can enforce our policy, at the same time they know that our Empire is an Empire of liberty, of truth, and of justice.

The noble Earl then *presented* (by Command) Correspondence relating to the Congress at Berlin, with the Protocols of the Congress.

EARL GRANVILLE: My Lords, although I still adhere to the opinion I previously expressed, that it was not expedient that both the Prime Minister and Foreign Secretary should leave England to negotiate a Treaty abroad, I beg now to convey to the noble Earl my conviction that as regards himself, personally, he executed what he felt to be his duty, and showed, at the same time, a disregard of what might affect his personal comfort, and even what might have affected his health. And I believe I shall express the feelings of your Lordships if I congratulate him on the very length of the speech he has just made, taking that as a sign that he has returned to this country with unimpaired strength. I think your Lordships will not expect me now to go into very great detail with regard to the Treaty of Berlin or the Convention of Constantinople, of which the Protocol has only this minute been laid on the Table; because your Lordships will observe that in the very elaborate account which the noble Earl gave of that Treaty, his arguments were exclusively addressed to many of his own followers who have certainly not been illiberal in criticism during his absence from this country. I wish merely to look at the general character of that Treaty, and to see how far it accords with the view which I myself entertain. The view I have entertained ever since it was clear that the misgovernment of the Christian subjects of the Porte touched not only our feelings of humanity, but was a source of danger to Europe, has been that an effort should be made—I should have preferred that it had been made by concerted Europe—to relieve them from that misgovernment and from the oppression from which those subjects suffered. Now, I must say when once you were agreed on the partition of Turkey—I use that word notwithstanding what has fallen from the noble Earl, because he ingeniously argued against partition and for partition, and, so far as I could make out any conclusion to which he came, it was that Turkey was in a very flourishing condition—on the principle, I suppose, that the spendthrift, who having got rid of the greater portion of his paternal acres, at last is able to boast that he has placed his property within a ring fence—when you agreed to give these large portions of Turkish territory to some of the Powers I do regret, what I think, showed a want of policy on your part—the manner in which the Greek Christians, decidedly the most intelligent race of Christians in the East, have been treated. The Greeks complain that the Government of this country has betrayed them. I trust there is not the slightest foundation for such complaint; but I must say that when they read in the reports of the speech of the noble Earl that his advice to them is to be patient, I think they will say—"That is exactly the advice you gave us during the war; and it is from following that advice that we are now placed in a position less favourable than we should otherwise have been in." With respect to Turkey, although I think some of the measures which have been taken out of jealousy of Russia will rather defeat themselves and assist her in increasing and propagating her influence in the future, still the mere fact of something like 10,000,000 of Slavs—who are Christians—being withdrawn from the domination of the Porte is a great advantage, and one in which I rejoice. I feel that considering the consistent advocacy, not lately but for many years, of the noble Marquess the Foreign Secretary, who has based the policy of this country on a Christian and not a Turkish element of the Turkish Empire, it must have been a satisfaction to him to sign a Treaty the general character of which is certainly that for which he laboured. I own, however, I was a little surprised to hear the satisfaction which the noble Earl the Prime Minister expressed at the share he had in the transaction; for up to the last moment, as I have understood it, his principle has been the *status quo* and the independence of the Turkish Empire. I can hardly conceive that anything but a stern sense of duty could have brought him to agree to the secret Memorandum of the noble Marquess and Count Schouvaloff, which appears to have been with such good faith carried out by both parties; and I cannot help thinking that it was with pain and grief to him—although he may not like to acknowledge it—that he had to sign the Treaty of Berlin, although the pen he signed it with was tipped with silver and taken from the Eagle's wing. There are some points in the noble Earl's statement which I will not quarrel with him for; but I do not put the enormous value the noble Earl does upon the fact that the Turks are to be allowed to garrison the Balkans. Their defence does not depend merely on their position but on the men, and I suspect it is a doubtful compliment to pay to bankrupt Turkey to allow her to garrison mountains which must require a great number of men, and must place her, should difficulties arise, in a position of great inconvenience between two populations sympathizing with one another and hostile to the Porte. The noble Earl appears to think this hostility has been entirely swept away by the simple expedient of calling one of these populations Eastern Roumelians instead of Southern Bulgarians; But I own I have not quite the same confidence as the noble Earl seems to have in the efficacy of this plan. There is one question which the noble Earl has entirely omitted—and I am rather surprised at it, because it is one which has excited as much criticism as any other—the retrocession of Bessarabia to Russia. When, in 1871, we obtained, by the help of all Europe, that Declaration of Russia with regard to Treaties on which so much stress has been laid—and properly laid—by the Government, we refused to come to any understanding with Russia until she made that declaration. The present Government have taken a different course, and I do not blame them for it. I think they did right, so that they could do it with perfect fairness to other countries, to enter into confidential relations with the Russian Government in a manner that enabled them to meet in Congress, and to give a peaceable result to that meeting. There is one thing, however, which I do regret, because I think it is inconsistent with the traditions that have generally guided our diplomacy, which was the arrangement under that secret Memorandum with regard to Bessarabia. There is something like a chapter of comedy in it. "What about Bessarabia?" the noble Marquess might have asked. "We want Bessarabia," said Count Schouvaloff. "We cannot give it you," said the noble Marquess. "But we must have it," rejoined the Count. "Well, if you must have it, you must; but for the sake of our honour and our reputation, we must make the strongest objection to it in Congress, when the proposal is made." I presume Count Schouvaloff would say to that—"I have not the slightest objection to your making any objection or declaration you please, in case it is perfectly understood between us that these declarations are to be of a perfectly platonic character, and are to have no effect whatever." I own that I was surprised, when speaking of another part of the question—of Batoum—the noble Earl appealed to us to know what England could do in the Congress. When the Congress had settled not to take Batoum away from Russia, he asks how could England oppose such a decision as that? But the Congress agreed to Russia retaining Batoum because England had previously agreed with Russia on the subject, and because it was known that you would not really resist with anything but your empty words. I really cannot understand how this Treaty of Berlin can be considered in any other light than giving to Russia all that she really wished or ever expected to have. It is still more difficult for me to understand how the noble Earl claims as one of its results the independence of Turkey. The noble Earl boasted that he retained 6,000,000 of inhabitants in European Turkey; but he had just told us that a very large portion of them, I should think the largest portion—the people of the future—were the Greek subjects of Turkey; who are more dissatisfied at this moment than they have previously been with the Turkish rule. The noble Earl has given us in great detail the advantages which this Treaty has secured. The noble Marquess has written a despatch to the First Secretary of State describing its advantages. But not only that. The Foreign Office has been good enough to print, or rather to colour, a map to explain to us the advantages which we have secured to Turkey. Now, I remember—and similar recollections may occur to some of your Lordships—that a relation of mine who was very anxious to improve his country house showed to me two drawings submitted to him by his professional adviser. One showed the house as it was; the other showed the house as it was to be. By a very singular accident, the drawing representing the existing state of the house appeared to have been taken in the middle of November. The house was encircled with a dead fog; not a bird was to be seen in the air. No human or animal life was in the garden. There was no colour, no light, no sign of movement about the place. But by a very happy chance, the other drawing was taken as representing the brightest October day, with every possible effect of light and shade, with pigeons soaring over the house, beautiful ladies in the garden, and swans and fancy boats careering over the illuminated lake. Now, my Lords, I do think the Government have treated us a little on this architectural principle with regard to this map. In the brightest tints they have depicted these portions of Turkey which they have saved to Turkey; and the noble Marquess has pointed out in his despatch with great pride that two-thirds of the territory lost to Turkey by the Treaty of San Stefano has been restored by the Treaty of Berlin. I rather doubt whether the proportion is exactly as he has said. With regard to Eastern Roumelia, the noble Marquess in his despatch says it is under the direct military and political administration of the Porte. The noble Marquess has entirely omitted the next sentence, as to the admission of comparative autonomy.

THE MARQUESS OF SALISBURY: If the noble Earl will read the despatch he will see what is stated.

EARL GRANVILLE: I think the despatch does not agree with what the noble Marquess said. It shows in detail how very much the principle of naval and military administration is affected by the conditions which were wisely introduced into the Treaty. When I look into the map and see the large Province of Bosnia and the smaller Province of Herzegovina, I do not see any trace of what has been taken from Turkey, either by Austria or any other Power. The map also excludes what we thought fit to take to ourselves as our part of the spoil. I do not wish to detain your Lordships on the subject of Batoum. I think it very likely indeed that it is an insignificant port, as it was described by the noble Earl, though it certainly was more prominent in former negotiations. Now, my Lords, there is one point on which the noble Marquess has taken great credit—that is, with regard to the indemnity. Looking at the despatch, he shows that there is no danger from this source. I do not say that there is any danger in the indemnity; but the objection is that it might be used as a lever on the part of Russia against Turkey. It is quite true that Russia agrees not to interfere with the loans that have security on certain conditions; but I cannot see that that prevents her by her declarations, if she is so inclined—which is not likely—from pressing in a general way to be paid, and saying—"I do not wish to interfere with your other creditors, or to prevent your paying them; but I do wish you to pay me." Now, the next question that I wish to go to is one which was entirely passed over by the noble Earl, and which appears to me one that could be most properly discussed. Already, some days ago, there has been laid on the Table the Convention between Turkey and England, and it has been announced by the Government that that Convention has not only been signed, but ratified. I am certainly surprised at the perfect silence the noble Earl has observed as to the advantage he proposes to gain by the occupation of the country under that Treaty. That Treaty was alluded to in the Secret Memorandum. The object of it appears to be that, for one thing, we have got Cyprus, and also obtain from the Sultan a promise to introduce reforms to be agreed upon between the two Governments, and the protection of the Christian and other subjects in Asiatic Turkey; but we also gave a pledge to help Turkey to defend herself from an advance by Russia in the country beyond that agreed to by the Treaty of Berlin. Now, I wish to say a few words with regard to that question. We have already had a discussion in both Houses with regard to the Constitutional points involved in bringing the troops from India without the previous sanction of Parliament. I am not going to open that subject again; but I will go so far as to say that the legal arguments in support of the measure certainly would reduce to a minimum the Parliamentary control over the number of the troops that can be employed by the Crown. The noble Earl urged another reason for keeping that matter secret. He said there were reasons of the greatest urgency that made it impossible to tell the House even at the time he was speaking. I wonder whether it is possible for the noble Marquess to tell us that great secret now. I do not think it was possible that these troops were brought over in order to seize part of the Dominions of the Porte. If it was only to take peaceable possession of Cyprus, what reason was there for not taking Parliament into the same confidence as you did in regard to the Reserves and other military preparations? I shall be exceedingly glad if the noble Marquess could find it consistent with his duty to tell us what the secret was. The promise that Cyprus is to go back to Turkey if Russia gives back what she has got is of a perfectly illusory character. Looking at it as men of business, we must see that the cession of Cyprus is a virtual cession of a portion of the Porte's Dominions. It is not necessary, according to the Treaty of Paris, for the Porte, in making a willing cession of any portion of its Dominions, to obtain the consent of the Powers of Europe. I rather dissent from the argument so much used that it was absolutely inconsistent with the Treaty of Paris that on the conclusion of peace, any portion of the Ottoman territory should be transferred to another Power. There may be a reason—perhaps the noble Marquess will give it —I do not know whether it was raised by other Powers or not, and it is one that I do not wish to raise on the part of other Powers, because I think there is nothing so undesirable as that we should slip away from engagements which we impose on other Great Powers of Europe. I have said a few words about Cyprus. No one rejoices more than I do at the extent of our great English-speaking community. No one rejoices more than I do in our naval stations in different parts of the world. Take Malta, where we are able to place a large number of troops, and to store provisions and coals, and from where we can at any moment send military forces wherever they are required. I am not quite so certain on another point—namely, that we always do increase our strength by extending our territories; that we add to our power by increasing our vulnerable points; or that we add to our military strength by disseminating our small army on more points than are absolutely necessary. The noble Earl declined to say; but I hope the noble Marquess will favour us with some of the information which it is quite possible may not have been in possession of Her Majesty's Government before Cyprus was taken by us. The information I have received on good authority is exceedingly scarce. I am told that there are no harbours—not even a harbour such as at Batoum, spoken of by the noble Earl. I am told that there are nothing but open roadsteads from which the access to the shore is sometimes difficult. With regard to the sanitary state of Cyprus, the information given by Her Majesty's Government is not perfectly satisfactory. The noble Duke the Lord President told us the other day that the death-rate of Cyprus was much less than that of Europe. Now, I have some difficulty in ascertaining what the population of Cyprus is. Accurate statistical information is almost of modern invention even in this country. I have consulted the best geographical authorities. In one I find the population stated to be 60,000; in another, 110,000; and in another, 180,000. I very much doubt whether anybody in the world knew how many people died in Cyprus last year. How, on such evidence, can anyone tell the exact proportion of the death-rate? I only hope the information of the Government has been calculated on more accurate principles. Now, I should like to know whether it is your intention to make harbours and great public works? The noble Earl takes great interest in that country. I am quite ready to admit that I take a great interest in this island on which we live. I am not quite sure that we have nothing wanting in regard to sanitary measures, and I am quite certain that if the present Government had, from motives of economy, given up arrangements which were estimated by the highest naval and military authorities to be of the greatest importance to this country, I only claim some consideration for our public works at home. I want to know when this harbour and these public works have been made, at considerable expense, in what way do you mean to use them? Do you mean to use them for the purpose that was indicated in the despatch of the noble Marquess, who says that it places us in a position to defend Asiatic Turkey should Russia attempt to pass the boundaries? I believe that Cyprus is farther from the Dardanelles than Malta. I believe if we fight Russia for Turkey, Turkey will not be slow in putting every facility in our way at Constantinople. Therefore, if you put Cyprus in a proper state, it will be perfectly useless to send troops there. I am told it is for the defence of Asia. I am told you can send across and land troops in Asia in one day. But then they would have to cross a pestilential marsh, and to cross over mountains 1,000 feet high, where there is only one track. [A Noble LORD: No, no!] I am glad if I have been misled as to the pestilential character of the harbour. I do not know whether the noble Marquess will be able to tell us something with respect to another matter—I mean, what is the course Her Majesty's Government is prepared to take in regard to the Euphrates Valley Railway? Do they entertain any idea, either by guarantee or by making the work themselves, of making a railway some 900 miles in length for a country such as that which it has to traverse? Another use for Cyprus has been mentioned to me. A certain friend of mine has told me that if I were to read between the lines, I should find the real use of Cyprus is to defend the Suez Canal. I agree with Her Majesty's Government that the object of defending the Suez Canal is one of the greatest importance. I should like to know who are the persons likely to attack the Suez Canal? I would like to know whether, if they do attack it, whether by the addition of a naval station, which all sailors tell me is unfit for the purpose, you think your means of defending the Suez Canal are in the least augmented by the acquisition of Cyprus? You may have satisfied the Government of France, but you have wounded the *amour propre* of those Mediterranean Powers, who will be in future much less disposed to sympathize with your endeavours in the Mediterranean. I now come to a very much more important question than the taking of Cyprus at the present moment. It is the promise that has been obtained from the Sultan with regard to the reforms that are to be made. It is perfectly impossible that the noble Marquess the Foreign Secretary should persist in the refusal given by the Prime Minister to give us the slightest indication of your policy, and what you mean by the Treaty that you have laid before Parliament, and which is perfectly unintelligible without some such explanation. The Treaty begins in the Preamble by reciting that Her Majesty the "Queen of Great Britain, Empress of India," has agreed to a Convention with "His Imperial Majesty the Sultan;" but when you come to the clauses all this is changed. His Majesty the Sultan agrees to a certain thing and "the Queen" accepts. It is not even "Great Britain," but only "England;" and it is "England" and "His Imperial Majesty the Sultan" that make all these arrangements. With regard to these arrangements, I must say that nothing can possibly be more vague. They do not specify the reforms, and they do not specify what is to be done if we do not agree upon these reforms. I really hope we shall know if we are merely to give advice. Are we to place any confidence in abundant promises such as were given in 1839 and 1856? I think that the House will agree—and nobody more than the noble Marquess—that such a thing would be a mere sham. The noble Marquess points out that the principal thing to be looked at is the character of the administration. I think he informed us after his return from the Conference at Constantinople that the difficulty in Turkey was to be able to find any officials who were able efficiently to do their duty. The noble Marquess seems to suggest that English officers should be employed. In what capacity? Are they all to be Consuls? If they are to be Consuls, are we to imagine that Turkey will give up the habit of playing off one European Power against another, and that she will not invite the Consuls of Russia, France, and Italy, and other Powers, to come in? Do you think these Consuls will be always working with you instead of intriguing against you? Or are the English officials to act as do the Anglo-Indian Residents? If so, then, in my opinion, nothing can be worse. I think that no greater farce could exist than to proceed upon the precedent of Anglo-Indian Residents in the case of Asiatic Turkey. I believe there is no greater fallacy than to argue on the analogy that exists between our government in India and this government in Asiatic Turkey. In India, government was founded by an able and energetic set of merchants—not very scrupulous men—who did things that it would be impossible for a great country like this, in the present day, in the face of the world, to attempt. The Empire of India has been built up bit by bit; and when we first sent Residents, I believe those Residents were supported by the Rulers of those territories who were now willing to send troops to Cyprus, or anywhere else, for the suppression of outbreaks. It appears to me that you are taking upon yourselves a responsibility, and I do not see how you propose to carry it out. You have undertaken to defend Asiatic Turkey. How is that to be done? It cannot be done simply by your ships doing as they have been doing during the war. If Russia desired increase of territory, you say that in case of need you might land troops. I may take an old simile—more true than a great many similes are—that a contest in that case between Russia and England would be like a fight between a dog and a fish. Now, I am not sure whether that fish ought not to be shut up in an aquarium at Bedlam who would throw itself on land in view of the foe dog's kennel at any time the dog might choose to eat it up. It appears to me rash to pledge ourselves to go to fight Russia in her stronghold at any moment. That moment does not rest with us in the slightest degree. I trust that God may grant that this country may rest in peace and prosperity; but I cannot say that we shall never have war—or, what is almost as bad—alarms of war. Is it not possible that our relations may become involved with Germany, France, or the United States? There might be some financial or other difficulty in this country, or there might be insurrection in India. Suppose Russia should contemplate further aggression, you may depend upon it her resolution will be kept silent as long as our prosperity continues. But if any one of the unfortunate occurrences I have mentioned were to arise, you will have no responsibility on yourselves, because it is not likely to happen within the next few years—but a responsibility which you have no right to place on those who succeed you. I was talking the other day with a friend who was most intimately acquainted with the Duke of Wellington and Sir Robert Peel, and we agreed that nothing would have induced either of those two great men, or Lord Palmerston, or Lord Clarendon to have signed a single guarantee of this sort. In the conversation it was suggested that there was one very able man who might have been willing to sign it—the late Lord Ellenborough—a man of patriotic spirit and great ability, and who was certainly disposed to theatrical display. As soon as I had the opportunity I referred to one of his speeches. The first passage I found showed the great injustice of this posthumous attack on Lord Ellenborough. It says—

> "Noble Lords talked somewhat too lightly of a war with Russia. Undoubtedly, he thought it would be better to make war for the preservation of the integrity of the Turkish Empire than after that integrity was gone to make war, which would ultimately be forced on this country. In the first place, the country would fight with Allies, and especially with France, on its side. In the second case, he was unwilling to say under what circumstances the country would be compelled to carry on the war. The war must be an offensive and not a defensive war."

I know of no precedent of this kind, except that which exists between this country and Portugal. I refer to our old Guarantee with regard to Portugal. That country is very small, compared with Turkey. It is only the eighteenth part the size of Asiatic Turkey. It is, comparatively, at our doors, is perfectly easy of access, and it possesses means of defence which our own glorious history shows to be impregnable. Is this in any way a precedent for the Guarantee which we have given to defend Asiatic Turkey, some 2,000 miles from our shores, and contiguous to the enormous hosts of the Czar? The noble Marquess, in a despatch which he has written, states that it was evidently impossible that Turkey could defend her Asiatic dominions. With regard to the Armenians, I am glad to see that the Treaty provides for the concerted action of Europe with the view to secure good government for them. If Turkey is no longer able to govern her Mahomedan Asiatic subjects, it is perfectly idle to imagine that you can, by patching her up, make her that independent Power as stated by the noble Earl. Mr. Canning, two years before he died, boasted that he had called into existence a new world to redress the balance of the old; but he did not seek any material benefit for England. He did not seek to promote English interests by annexing Spanish soil; he did not undertake to teach Spain to govern her territory. He incurred no responsibility of this kind whatever. A noble Friend of mine, now sitting at the Table—the father of a Cabinet Minister—made the other day an eloquent and touching appeal to this House to support Her Majesty's Plenipotentiaries in the task before them at Berlin. He hoped that the peace would be a 30 years' peace, and that it might have the advantage of decreasing the augmenting armies raised for war. Considering the disappointment and indig-

Well, I have not the faith in nomenclature which my noble Friend appears to have. I do not believe that the difference of one name or another will affect the result. Looking at precedents—at what has passed in other communities similarly circumstanced—can you doubt but that a population of this kind, already semi-independent, will take every opportunity and advantage of the freedom they enjoy to make it more complete. You may keep a man quiet, if you tie both his hands; but if you allow one hand to be free, he will, you may be quite sure, use it to liberate the other; and, whether you call this self-governed province South Bulgaria or Eastern Roumelia, there must, there will be, perpetual intercommunication between the people on each side of the mountains, and they will very soon come to an understanding with one another. Remember what happened in the case of Wallachia and Moldavia. I very much doubt whether European diplomacy or Turkish Forces will keep them apart, when they do come to an understanding with one another, notwithstanding that the Turkish Army holds defences between the two. I do not dispute the gallantry of the Turks—no one does; but the question is, whether, considering the limited military force which Turkey can now command—whether, with open war on the North, and with an insurrection to the Southward, the Turkish Army occupying the line of the Balkans would not find itself in a trap. A great point has been made of the fact that this New Bulgaria is excluded from the sea-board. For my own part, I say distinctly that I think, on the whole, the balance of advantages undoubtedly preponderates in favour of the arrangement sanctioned in the Congress over that of the Russian Treaty. But the advantage is not all on one side. A large Bulgaria, reaching to the sea, would be necessarily much more independent of Russian influence. It would contain a mixed population—a population not exclusively Slavs; and by the mere fact of its contact with the sea, it would be more open to English influence, for wherever a ship floats, there confessedly ours is the strongest power. Although, as I have said, I do not deny that, on the whole, the advantages of the limited Bulgaria preponderate; yet it is open to this disadvantage—that that small State north of the Balkans is absolutely inaccessible to you, and that the influence exercised over it will be exclusively Russian. There will be no port open through which you might put pressure on the people, and no commerce which, with a similar object, you can intercept in case of need. That is a set off against the undoubted advantage of the present arrangement. When, however, I come to read the despatch of my noble Friend the Foreign Secretary, it seems to me a rather bold assertion on his part to claim that two-thirds of the Sultan's territory has been restored to his direct political and military rule. In what sense has it been restored? These Provinces, alleged to be restored, are self-governing, or partially so; and if only partially so, they will soon be wholly so. But to pass from detail, and looking at this re-distribution—this European arrangement—as a whole, I do not think there is any fault to be found with it, if it goes for what it is—namely, a temporary and provisional arrangement. A final and permanent arrangement it is not, and it seems to me idle to speak of it as if the Congress had interposed an effectual barrier to the extension of Russian aggression or Russian influence. But such as it is, it gives us rest and breathing time; the difficulties are for the moment, in one form or another, postponed, and that is not an inconsiderable advantage. My Lords, so far as England is concerned, the European part of the arrangement appears to me comparatively unimportant. The great matter for us to consider in regard to this settlement is the arrangement made in Asia. There are two branches of it. One is the annexation of the Island of Cyprus, and the other is the consideration given for that island, the Anglo-Turkish agreement or guarantee. So far as England is concerned, we have this to ask—Do we come fairly by it, and what is its worth? Now, my Lords, as to the first part, I readily admit that there is the widest possible difference between the plan which was finally adopted and that which was originally agreed upon. Three months ago, when I quitted the Cabinet in the last days of March, it was on account of the decision then taken—namely, that it was necessary to secure a naval station at the eastern part of the Mediterranean, and that, for that purpose, it was necessary to seize upon and occupy the Island of Cyprus, together with a point on the Syrian coast. This was to have been done by a secret naval expedition sent out from England, with or without the consent of the Sultan; although, undoubtedly, a part of the arrangement was that full compensation should be made to the Sultan for any loss of revenue which he might sustain. Now, my Lords, I will not argue in detail against this scheme, and as regards its more objectionable features, I can only now say that I could not reconcile it to my conscience, either as a matter of justice or of policy, to be a party, in time of peace, to the seizure of a part of the territory of a friendly Power, without the consent of the rightful owner. Nothing to my mind, except the necessities of self-defence, would have justified such a step, and no such necessity for this event ever was alleged or could have been proved. My Lords, if that step had been taken, it would, I believe, have startled all Europe. It would undoubtedly have thrown Turkey into the arms of Russia, and it would have brought about precisely the complications which for many months before we had been doing our utmost to avert, and for averting which my noble Friend has taken credit; since, undoubtedly, that move would have been followed by the counter-move of a Russian Army entering Constantinople. My Lords, it is more than three months ago since I expressed a fear which, judging from subsequent events, may seem to have been unfounded, that the Government were not merely drifting, but rushing into war. My Lords, I endeavoured to induce the Cabinet to re-consider this determination, and from whatever cause the change took place, I am heartily glad that that unfortunate resolution was modified. My Lords, I need hardly say that my lips were closed on this subject so long as negotiations were going on. I have heard the most extravagant and improbable reasons assigned out-of-doors for my retirement; but now that the matter is settled, and that no harm can be done by stating what is really an historical fact, I thought it due to myself and your Lordships to avail myself of the discretion given to me—as it is always given to an outgoing Minister—to state what really happened. My Lords, as the occupation has now been effected with the consent of the Sultan, no doubt the great objection which I entertained to the original plan is done away with. But even as matters stand, I do not think the proceeding one free from objection. In the first place, I doubt whether a new naval station is really required. We have Malta within two days' steaming, and I know it is the opinion of competent naval authorities that half the money expended at Malta, which would be required for Cyprus, would be of much more practical use; because, if we keep up two great naval stations in the Mediterranean, we must either do so at enormous cost, or else, which is the more probable result, we shall starve them both. But that is a matter upon which I should be prepared to defer to authority. Further, I doubt the fitness and convenience of the place. It seems to be admitted that there are no harbours at Cyprus; there are roadsteads out of which a sort of harbour may be made; but that there is no harbour appears now to be an admitted fact. There are various opinions as to the climate, but this much is universally admitted—that at some times of the year it is very unhealthy. Now, my Lords, I come to consider what I am given to understand is the principal object in selecting Cyprus—namely, because it is a station which commands the line of the Euphrates Valley Railway. Now, opinions have differed very much as to the Euphrates Valley Railway. I have looked into the question, and, certainly, I have satisfied my mind that a more hopelessly unremunerative undertaking never was set on foot, even by British speculators at the expense of British capitalists. I believe that without a guarantee from the English or Indian Government, or both, it would be impossible to make that line pay; and if such guarantee were given, I believe it would be a dead loss to one Exchequer or the other of £1,000,000 a-year. Cyprus is said not only to be an important means of defence for the Euphrates Valley Railway, but for the Suez Canal and for Constantinople. As regards Constantinople, the distance is too great to admit of its having any practical value; as regards the Suez Canal, no doubt it is more convenient, and I fully admit the protection of the Suez Canal is a matter of primary importance to England; but I do not know who is threatening the Suez Canal. It is not likely to be threatened by sea, so long as we are there; and the mere fact that the Russians have got as far as Batoum does not convince me that they are in any threatening proximity to Egypt or the Canal. As to the value of the island, one thing certain is that it will involve us for many years to come in very considerable expense. It is not practicable for English settlers. The heat of the climate, I apprehend, makes it impossible that it can ever attain any importance as a settlement for English emigrants. It will, no doubt, under an orderly administration, become a populous and prosperous community; but it will be a Greek community, not an English one. It is not difficult to anticipate what will happen at the end of a generation, if our protection should continue so long; for we have already had experience in the case of the Ionian Islands, of a population for whose benefit we had spent large sums, whose material prosperity we fostered in every way, and who had nothing, so far as administration was concerned, to complain of; but who, notwithstanding, one and all, rich and poor, old and young, asked nothing from us except that we should take ourselves away. My Lords, it may be argued that the land we have acquired is valuable. Well, that may or may not be so; but so long as nine-tenths, I might almost say ninety-nine hundredths of the soil of the British Colonies is still undeveloped, I do not see how we are going to be materially enriched by the acquisition of an island 2,000 miles away from home, where English labourers cannot work, and which is about the size of Yorkshire. I never heard we were richer when we had the Ionian Islands, or poorer when we gave them up. The question of Cyprus is really a small one compared with that which is involved in the price which we have to pay for it; and when I speak of the price we pay, I do not mean merely the penny in the income tax, which it will probably cost for some years—probably an indefinite number—but I mean the price paid for it in the nature of a guarantee. Now, my Lords, it would not have been reasonable to expect that my noble Friend at the head of the Government, whose statement we have listened to with so much interest, could to-night have gone into details as to the precise nature of the arrangement which has been made between ourselves and the Porte with respect to Asiatic Turkey. Probably, in many respects, those details are not yet in a condition in which they could be laid before us; but one thing appears certain—that we have given a guarantee — an absolute and single-handed guarantee — to protect the Asiatic Provinces of Turkey. Now, my Lords, I have always held that guarantees are about the most dangerous instruments that you can have to deal with. They are very seductive, because, while they seem to give some immediate advantage, they involve no present expense, and they do not even involve the absolute certainty of expense and trouble in the future. A guarantee, such as we have given in this case, is in the nature of a speculation in which we receive a small payment down, and in consideration for that payment we pledge ourselves to an amount which it is impossible to fix in circumstances which may or may not occur. Again, guarantees are indefinite in point of time. There is no release from them on the ground of lapse of years. Circumstances may change, the advantages which you promised yourselves may not have come, and the pledge you may have given may be claimed at a time when it would be most inconvenient to redeem it. You are exposed, therefore, not merely to the risk which you incur in fulfilling your contract, but to another of a different and, to my mind, more disagreeable character — namely, the risk of not being in a position to fulfil it. Now, I need not go further back than the history of the last two years to illustrate what I say. As a matter of fact, we were not bound by the Treaties of 1856 to fight for Turkey; but I may venture to say that the bulk of the people of this country—nine-tenths of those who wrote or spoke on the subject—believed that we were so bound. The belief was universally diffused that if Turkey were attacked, it would be our duty—according to the terms of the engagement entered into by us—to come to the defence of Turkey. Now, suppose the wording of the Treaty of 1856 had been a little more stringent than it actually was, what would have been the consequence? Why, we know that an armed intervention in favour of the Turkish Empire would have been impossible. What has happened may happen again. Under the guarantee which has now been given, you must either hold yourself in readiness to go into a war utterly repugnant to the feelings and opinions of this country; or you must contemplate the possibility, in certain circumstances, of being obliged to say you cannot fulfil your bargain. I hardly know which of these alternatives is the least agreeable. Look at the matter from another point of view. It may, no doubt, be argued that it will always be our interest to defend Asiatic Turkey; and, therefore, that we have bound ourselves to nothing but what we should, in any case, have been compelled to do. But in that case I say, why tie our hands? Either the Porte will not place confidence in our promises of protection —and there are many reasons why it should not do so—or it will; and the obvious result of that will be that a country already bankrupt and with its people starving, will not fight on its own behalf, will not spend, except where it cannot help it, what little money it has on military preparations; and that its rulers will still go on wasting its means, neglecting its Forces as they have hitherto done, and with all the more readiness because they will believe we are pledged to make good their short-comings. The Turks have not shown much forethought at any time; but I cannot conceive anything which is likely to be more destructive of any capacity which they may have for that virtue, than this new arrangement which takes the responsibility of defence off their hands. This question of the effect of a guarantee of Asiatic Turkey seems to me to go very much deeper than a mere question of military protection and administration. What is to be the position of England as regards the civil administration of the country? We make ourselves directly responsible for that when we undertake to defend it. Suppose that disturbances occur which, fomented, as they have always been, by foreign intrigue, give rise to a local insurrection in Armenia or some other Province, similar to that which occurred in Bulgaria two years ago—I do not suppose it is intended that English troops should be employed to put down that insurrection, or, what would be nearly the same thing, that Turkish troops commanded by English officers should be employed? But if not, if your defensive alliance goes no further than a guarantee against invasion, there is nothing to prevent the disorganization of the country being effected by the old well-known means. You will have arms sent into the country; foreign agents, well supplied with money, will steal across the frontiers and through the mountain passes—risings will occur, orders will be sent from Constantinople to suppress them, fresh atrocities will be committed, and a state of things will arise which, sooner or later, will compel foreign interference. Your alliance for protection must become, in fact, a virtual annexation of the country—an annexation not settled by any Treaty, and not recognized by any foreign Power. We do not know that the Sultan is willing to submit to this. He may accept protection —no doubt he will very willingly—but, assuredly, he does not intend to part with the whole internal administration of his Empire. You will then have a perpetual undercurrent of resistance. You will have constant appeals to the natural and inevitable jealousy of other Powers. I know there are persons who look upon this as only an extension of the precedent already set in the case of the Indian protected States; but nobody knows better than my noble Friend at the head of the Foreign Office that our relations with the Indian protected States have not always been of the smoothest character. But, not to speak of the difference in size—though that is not unimportant—there is this very material difference between the two cases—that in the case of the Indian protected States, the influence and interference of every other Power is shut out. No European Power can have recognized agents at any Native Court in the peninsula of Hindoostan. If any such agent were to settle, say, at Hyderabad, it would not be long before he would receive a hint to go. But you cannot deal in that way with Turkey. The Great Powers will each have their Ambassador at Constantinople, and their Consular Staff scattered over all the Provinces; and these Consuls will claim, as they have always claimed during the last 50 years, to interfere to a very considerable degree in the details of local administration; and as our exceptional position in this agreement will necessarily create exceptional jealousy—as there will be in the minds of every adviser of the Sultan a constant expectation that, sooner or later, we are going to take the country—I am afraid that any advice given in opposition to ours will be more readily listened to than before, and, if possible, it will be taken. I see no escape from this alternative. If you protect Turkey from external aggression, and if you do nothing as regards the internal administration, beyond giving advice which will not be taken, then you make yourself responsible for the maintenance of a Government which will probably be abominably bad; but if, on the other hand, you undertake to reform the internal administration, you cannot do it effectually with divided power, and without recognized authority. You are therefore, if I may use the phrase, on an inclined plane, down which you will at last slide to virtual annexation. Now, is it likely that other Powers will agree to such an arrangement? I say nothing now about Germany and Austria: they would probably agree; but would France, with which it has been the desire of English statesmen during the last generation to be on the most intimate and cordial terms,—would Italy, with which we have always professed, and I believe felt, much sympathy, look upon this increased power on our part in that quarter with equanimity? I believe the French Government have too much self-respect to make useless protests against what is an accomplished fact; but there will be in the mind of every French statesman a feeling that we have stolen a march upon them. There is one other aspect in which this protection of Turkey may be viewed. How will it affect the foreign policy of the Turkish Government? Your guarantee is one of a very peculiar kind. It is a protective guarantee against one Power. Turkey is dependent upon England alone as regards its Asiatic dominions, but upon Europe as regards its European portion. It is free as regards its foreign policy with all Powers except Russia; but where Russia is concerned, as we are responsible for what happens in the event of a rupture, we are bound to have a voice in the settlement of the dispute. There are many of us here accustomed to consider such matters, and I appeal to your experience and judgment whether such an arrangement is not so difficult as to be in practice utterly impracticable? I hardly like to argue as to what might happen in the event of this agreement ending in the manner to which circumstances seem to point; but if all the difficulties were overcome; if Russia does not intrigue, or does not intrigue successfully; if France gets over her jealousy; and if the Porte, contrary to all expectations, places itself unreservedly in our hands, we shall become *de facto* masters of the country. Admit that we do: will that be a gain to us or a loss? Will it be a source of strength to us, or a source of weakness? We must remember the enormous area of the territories we are taking in hand. They are larger, I believe, than Italy, France, and Spain put together. Our difficulty and our weakness in the event of our being involved in a war is the extent over which our resources are scattered. It has always been held as an axiom that India takes 60,000 European troops to garrison it, and to that extent weakens us as a military Power. Is it good policy to create a second India? Our Indian Empire has been acquired, for the most part, within the last 70 years. It has been held by us, as regards the greater part of the country, for a much shorter period: in a time of general peace and of tolerably steady prosperity we have gone on increasing our indebtedness year after year, so far as the Indian Exchequer is concerned, and I believe those most conversant with the subject are of opinion that were it not for one accidental and very precarious source of revenue—I mean the traffic in opium—the Indian Exchequer would even now be in a condition not far removed from insolvency. We have got India, and we must continue to hold it. We are bound to do that; but when we, with a population of 35,000,000, are already responsible for the protection and good government of a population of 250,000,000 on the other side of the world—is that, I would ask, a state of things in which it is desirable to draw upon our available resources still further, and to involve ourselves in a new liability, indefinite in point of time, and absolutely without limit in regard to the risk and expense which it may involve? There is, no doubt, an answer to that question which has weight with many persons. We may be told that all these great results, be they good or bad, which you foresee, will not come to pass—that Russia, after her late successes, will keep quiet for the next 20 years, and that we shall practically interfere very little with the internal administration of Turkey in Asia. When, therefore, any question arises, of acting on this Treaty, it may be said, its interests will be purely historical; it will be worth just as much as a good many other guarantees into which we have entered in times past. Well, things may go on in that way; and I am myself not altogether disinclined to think that that may be the real issue. But surely whatever responsibility we may avoid by not maintaining the engagements which we have entered into—that is not a very creditable way out of the difficulty. You cannot, it seems to me, escape from this dilemma. If we act up to the spirit of that which we have promised, we shall be involving ourselves in enormous risk and expense; if we get tired of the expense, as we probably shall before many years are over, we shall then find ourselves in the not very honourable position of a great nation trying to wriggle out of its engagements. There is another consideration—we may be called upon to redeem our pledge at a time when it may be practically impossible for us to do so. If we should be unfortunate enough to be engaged in war with any European country, or if some disturbance like that which occurred in India some 20 years ago should break out, it is perfectly certain that we should have no Forces available for the fulfilment of our obligations. It may, no doubt, be said that in that case, fulfilment being impossible, the plea of impossibility would be sufficient to save us from any imputation of a breach of good faith. That is very true; but is it, I would ask, wise—is it fair to those with whom we are dealing to enter into a permanent engagement of this sort with the knowledge that, under possible and not improbable circumstances, we may be utterly unable to carry it into effect? I have said nothing of any opposition which is likely to be offered by Russia to this arrangement. I have abstained from doing so for the reason, among others, that I think the Russian Government would be the very last which would be disposed to complain of or object to that which we have done. If the two countries remain at peace, as we hope they will, Russia will lose nothing; but should they go to war, it appears to me, speaking humbly, as a civilian, that we have gone out of our way to give our enemy an advantage which he never before possessed. Hitherto, in all discussions as to the possibility of war with Russia, it has been invariably contended that we had one advantage. We could choose our point of attack; we could invade while we could not be invaded. Now, it is evident that if we burden ourselves with the defence of Turkey in Asia those conditions will be altogether changed. For the first time, we shall have virtually a frontier open to invasion; for the first time, the enormous numerical superiority of Russia in military strength will become available as against us. Not being able to send an iron-clad into the Black Sea—and if we were able to do so, there being no good port there for our Fleet, now that Batoum is occupied by Russia—we should be thrown entirely on our land resources for the defence of Armenia; and it would certainly seem as if, in going half-way to meet Russia, we were doing our utmost to increase her advantages, while diminishing our own. But my noble Friend at the head of the Government says that the object for which we have undertaken the defence of Asia Minor is to protect India. If that is so, you cannot stop there. The Russian road to India does not lie through Asia Minor; it lies through Persia. If you hold Turkish Asia on the one hand, and India on the other, and your object is to connect them in one system of defence, all you may have done will be labour lost, unless in some way or another you obtain military control over the intervening territory of Persia; and, therefore, as an accidental and almost unforeseen result of that to which we have bound ourselves, we may find ourselves engaged in the defence of one of the feeblest States that exists, of one the Government of which is more hopelessly corrupt and oppressive than even that of Turkey itself. I do not wish to look at the subject—I never have done so—as if our relations with Russia must necessarily be those of permanent hostility. But, if I did regard them in that light, I should not find it easy to explain, or to understand, the exultation which this Treaty of Berlin has caused in the minds of many persons who profess to be animated by a feeling of great hostility towards that country. What is the net result of the Treaty so far as Russia is concerned? In Europe, she has given up for a time a considerable part of what she had gained. I say for a time—because I will not argue with anyone who supposes that the Bulgarian arrangement is final. She keeps Bessarabia; she touches through Bulgaria the line of the Balkans; she has the same power she had before to stir up disturbances and agitation in Roumelia;

the autonomous, or semi-autonomous, State will, of course, sympathize with her, and however nominally you may have secured the Balkans as the boundary of European Turkey, I think it will be found that her line of defence does not practically extend beyond the country which lies immediately round Constantinople. In Asia, Russia keeps Kars and Batoum. She, no doubt, has yielded a strip of territory which, in all probability, she only took in order that when, the time for making the bargain arrived, she might have something to give back; but all that she really wanted has been retained. And by way of an effective defence against further encroachment in that quarter, we have substituted a single-handed guarantee for an European guarantee—that is to say, we have told the other European Powers that the affairs of Asia Minor are no business of theirs, and that we intend to charge ourselves with them altogether. There was a school of economists some 50 years ago—I believe they are pretty well extinct now—who used to argue that a National Debt was a national blessing, and that the more a country owed the richer it grew. I do not want to accuse my noble Friends who are Members of the Cabinet of having taken a leaf out of the book of those remarkable reasoners; but their argument appears to me to be very much of the same character. My noble Friends say that we increase our power, our influence, and our prestige, just in proportion as we augment the number of our liabilities to foreign countries, and as we extend the area over which our available resources are spread. For my own part, I cannot see the matter in that light, and I very much doubt whether it will be viewed in that light by the country. Now, my Lords, I end as I began. I hold this Treaty to be so far good, that it is infinitely better than war. If we had to deal only with the European part of the globe, I do not know that I should call it a brilliant success; but I think the most unfriendly critic might say of it as Sir Philip Francis said of the Peace of Amiens—"Although nobody is proud of it, still everybody is glad of it." As to the Asiatic guarantee, it seems to me to be the most dangerous engagement, having regard to its ultimate consequences, that has been entered into by any Minister in our time. If I have attempted to argue against it now, it is not for the sake of making what I know to be an unavailing protest against an accomplished fact; but because I believe that the time is not far distant when all these arrangements will have to be reconsidered. Two years ago, it will be in the recollection of your Lordships, any man would have been thought insane who would have proposed that which has been now done; and when the bill comes in for payment, and the English people understand what they have bound themselves to, I am not at all sure that two years hence we may not find that public opinion on these questions is pretty much what it would have been two years ago.

The Marquess of SALISBURY: My Lords, when the Eastern Question first appeared as one with which Europe, and England especially, would have to deal, this particular difficulty and embarrassment surrounded the counsels of Her Majesty's Government, that the very elements of the problem with which they had to deal were necessarily to a great extent unknown. Was the Turkish Empire, as some thought and said, a flourishing and powerful State able to defend itself; or, as some others thought, absolutely, and in all classes of society from the bottom to the top, so worn out and effete that at the first touch of military strength it must crumble into dust; or was there any intermediate truth between these two, as to the vitality it still possessed and the resistance it still could offer? If it had the power to defend itself, that was — speaking not as to any individual predilections, but purely from the point of view of an English statesman, and from the point of view of the interest and advantage of this country—perhaps, the most to be desired, because it would oppose a barrier to Russia without imposing on this country any kind of responsibility as to the nature of the institutions by which that barrier was set up. If, on the other hand, the darker anticipation was correct, and Turkey was destined to crumble into dust at the first blow of the aggressor, then problems of the most difficult and dangerous character would have to be approached—problems which probably could hardly be solved without the terrible ordeal of an European war. These considerations account for the attitude which Her Majesty's Government assumed. We felt it was not our duty to take a definite line with respect to the maintenance of the Sovereignty of Turkey, until we knew, by the sure test of facts, of what the Sovereignty of Turkey was made. But when the war was over, the problem was, to a great extent, solved. We knew that the Government was wretched, and that a large body of the governing class was corrupt; but we also knew that beneath all that there was a vast stratum of population sober, loyal, devoted, and gallant, reaching up to the highest model of such qualities which history affords; and upon this knowledge we based a policy of which we now lay upon the Table the successful issue. What we desired was to do all in our power to purify, to strengthen, and to improve the Turkish Dominion, using it for the purpose of resisting Russian encroachment and giving it a respite — a further period of strength and repose. This was the thought that inspired the policy which Her Majesty's Government have pursued. We have not, and never had, any sympathy with the misgovernment of Turkey. We have, and had, the most earnest intention to do all that in us lay to correct the abuses by which that misgovernment had been caused; but it was clear to us that the time of partition—if that can be legitimately spoken of as a solution that could hereafter be adopted—had not arrived; and that, at all events, for the present occasion, Turkey was to be treated as an integral member of the European system, and as able, with fair assistance, to hold the important strategical position in which she is placed. The next question was how was that object to be attained? How were we, on the one hand, to strengthen Turkey without continuing the abuses which existed within her borders; or, on the other, to refrain from so doing without making it appear that we were in favour of the policy of partition to which I have referred? It was clear that Turkey had been weakened by the war, and that, if she was left to meet Russia unaided, she must succumb in the struggle. Our object, therefore, was to provide her with a defensible frontier, to give her an Empire which her resources were strong enough to maintain, and to give her Allies who should support her in the hour of danger. It has been sufficiently described to your Lordships how these objects were to be attained; but I think, from the speech of my noble Friend who has just sat down (the Earl of Derby), that he does not sufficiently appreciate the importance of the part which the Austrian arrangement plays in this transaction. Up to the time to which I am referring, Russia knew that if she could only succeed in shaking the fabric of Turkey to pieces, she was the only possible heir to its remains. Poets and enthusiasts have foreshadowed a Greek succession to the possessions of the Turk; but their prophecies have not been verified. They may be true in a somewhat distant future, but no soberminded statesman would now be found to maintain that Greece now has, or is likely soon to possess, strength to enable her to accept the responsibility, if the Turkish Empire went to pieces, of guarding the territories over which the Sultan now rules. This is as well known to Russia as to us, and she, while paying all due homage to the sentimental considerations by which so many persons are guided, knew that Greece would never be a serious competitor with her for the possession of Constantinople. The fact, therefore, remained true up to within the last month—that if Russia could only shake the Turkish Empire to pieces she was the inevitable heir to its remains. But the arrival of the Austrians at Novi Bazar has changed the whole position of affairs. There is now a strong Power—strong in itself, still stronger with its necessary alliances—of which I fear not to say, that under its present and its recent Government, it is one of the best administered States in Europe—a Power which has solved, to a great and singular extent, the difficult problem of reconciling conflicting races and creeds to live under a common government, which is now on the high road to Constantinople; and, though no one who knows the tenour of Austrian policy would suspect her statesmen of the slightest desire to precipitate such a disastrous result, yet her presence has announced to the world in general, and to intending aggressors in particular, that if either intrigue or violence should shake the Turkish Empire to pieces, it will not be Russia that will rule upon the Bosphorus. I do not know that there is any ground for believing that Austria has entered into any agreement with regard to Turkey in Europe analogous to that into which we have entered as far as Asiatic Turkey is concerned;

but the force of circumstances will compel her to the same line of policy, and I believe that the Government of the Sultan in yielding to her certain Provinces, which they were themselves unable to defend, has performed the highest act of statesmanship which any Government could have performed. This, then, is the state of things as we believe we have left them. We have, in Congress, given to the Sultan the support of Austria, and we have also given him a frontier which, we believe, he will be able to defend with his ordinary resources.

I wish now to offer a few criticisms upon the language held by my noble Friend (the Earl of Derby), who has taken the course which I should not have expected of him, and which I would not willingly have taken myself — of leaving the House, after making such a speech, without waiting for a reply.

THE EARL OF CARNARVON: I rise to Order. I am sure the noble Marquess would be the last person to do the noble Earl an injustice. My noble Friend has certainly left the House, but not for more than 10 minutes.

THE MARQUESS OF SALISBURY: Then I must proceed to criticize the language of my noble Friend, who has left the House for only 10 minutes. He objected to the statement that we had recovered, from the operation of the San Stefano Treaty, a tract of country extending from the Ægean Sea to the Balkans, and said that we had given a sort of semi-independent autonomy to the Province of Eastern Roumelia, which would not be under the government of the Sultan, but would provide no effective defence for the Turkish Power. I cannot conceive that my noble Friend has read the Treaty, because it is stated there that the political and military supremacy over that Province will remain with the Sultan. The frontiers will be held by his armies; the interior of the Province will be held by *gendarmerie* and by militia, officered entirely by himself; and if, under these conditions, the interior peace of the Province is menaced, then the Turkish troops may be called upon to act. I cannot see that military supremacy could have been stated more distinctly. My noble Friend has dwelt upon the word "administrative" autonomy. I admit that the word is an awkward one—but who invented it? Why, it was invented by my noble Friend. He used the word when proposing the Conference of Constantinople. He proposed a state of "administrative autonomy." Austria said she could not assent to it, and my noble Friend hastened to explain that administrative autonomy meant guarantees against misgovernment. Well, guarantees against misgovernment we have given. Guarantees against misgovernment exist in England; but I never heard that such guarantees prevented the Queen from adequately defending the possessions over which she rules. The people of Roumelia will, I hope, possess adequate guarantees against misgovernment. I believe that they can be obtained without, in the slightest degree, infringing on the military and political supremacy of the Sultan. That military and political supremacy was the thing which seemed to Her Majesty's Government absolutely necessary for the purpose of securing the safety of Constantinople under the altered state of affairs. It was the point for which we contested most earnestly at Berlin, and which, I believe, we have obtained completely.

That being the case, I think I may now pass, as so many speakers have done, speedily from Europe to Asia. Nobody has contested that we have provided a security in Europe for the Sultan, and though my noble Friend (the Earl of Derby) has said that he should decline to argue with anyone who contended that the arrangement of Bulgaria will be permanent, I venture to say it will be far more permanent than any which has been proposed to supersede it. But that anything in the South-east of Europe will be permanent, even in the limited sense in which we apply that adjective to human affairs, it may be rash to assert; but it will be allowed, I think, that, on the whole, the chances of this arrangement being permanent are as great as the chances are as to any other arrangement that at present exists on the Continent of Europe.

I come now, my Lords, to the question of Cyprus. With respect to that question, we have had the advantage, which we have frequently enjoyed in recent times, of revelations from the dark interior of the Cabinet. In fact, whenever my noble Friend (the Earl of Derby) speaks, he has an instalment of revelations to make. This is the third speech which my noble Friend has made since he left the Cabinet, and every one of them has contained an instalment of the fatal tale. The same objection was made to Dr. Oates, when he brought forward successive fragments of his disclosure. When taunted with the fact, his answer was that he did not know how much the public would endure. But, my Lords, I would venture to point out that there is a great inconvenience in these revelations from the interior of the Cabinet. Of course, my noble Friend must treat his own obligations in the spirit which pleases himself; but I do not know that I should like to announce, as broadly and palpably as my noble Friend has to the world, that any person who hereafter serves with him in the Cabinet must be prepared to have anything that passes, or is supposed to pass there, produced ultimately, in spite of the rule which Privy Councillors have heretofore observed. But, in the present case, the statement which my noble Friend has made, to the effect that a resolution had been come to in the Cabinet to take the Island of Cyprus and a position on the Coast of Syria by a secret expedition, with or without the consent of the Sultan, and that that was the ground upon which he left the Cabinet, is a statement which, as far as my memory goes, is not true—["Order!"]—well, is not correct.

THE EARL OF DERBY: I must ask my noble Friend, whether he intends to impute that I made an untrue statement?

EARL GRANVILLE: I hope that whatever statement the noble Marquess makes, he will act according to the usual practice of the House, and not use un-Parliamentary language.

THE MARQUESS OF SALISBURY: A statement of an unprecedented nature has been made which I am bound to answer, and the language I have used does not necessarily impugn the veracity of the speaker.

LORD SELBORNE: What! to say it was "not true!"

THE MARQUESS OF SALISBURY: I have substituted the words "not correct." What I wish to say is, that I was not relying on my own memory. If I had been, I should have some hesitation in putting it forward, because my noble Friend's memory is one of considerable power; but on behalf of my noble Friend the Prime Minister behind me; on behalf of my noble and learned Friend the Lord Chancellor; on behalf of my noble Friend the Secretary of State for India; of my right hon. Friend the Chancellor of the Exchequer; of my right hon. Friend the First Lord of the Admiralty, who happened to be in this House at the time the statement was made; and on behalf of my right hon. Friend the Home Secretary, and my noble Friend the Lord President of the Council, who were not in the House at the time, and whose testimony must depend on the account they received of the speech, I beg to state that the statement made by the noble Earl the late Foreign Secretary is not correct. My Lords, I have before dwelt on the extreme inconvenience of these revelations from the Cabinet for this reason. I have just been called to Order by the noble Earl opposite (Earl Granville), who thinks I used un-Parliamentary language in contradicting an erroneous statement; but it is obvious that these revelations as to conversations that have passed, and of which no record is made, must, in the nature of things, be exposed to error—especially in an Assembly which very seldom takes a definite and clear decision until the time for action arrives. All kinds of contingencies are spoken of, all possible policies are discussed, and it is quite possible that my noble Friend may have heard some project discussed by this Member of the Cabinet or that. For my part, I cannot charge my memory with what my noble Friend alludes to; but certain it is that no such resolution as that which he has spoken of was, in their recollection, taken by the Cabinet. At the same time, the noble Earl opposite has placed himself on the side of my noble Friend, and thinks that these revelations——

EARL GRANVILLE: I beg pardon; a certain statement was made in the House. I did not rise to distinguish between what the noble Marquess and noble Earl stated as to what happened in the Cabinet. It was perfectly impossible I should have an opinion on the subject. I merely rose to Order, and I think I am justified in calling the noble Marquess to Order, for saying that what had been stated in his place by a noble Lord, one of his late Colleagues, was not true.

THE MARQUESS OF SALISBURY: I was going to found on my protest against my noble Friend an appeal to the noble Earl, in the interests of Parliamentary government, and of the regularity of the proceedings of our Government, not to give the sanction of his authority to this plan of discussing what has passed in the Cabinet.

EARL GRANVILLE: I really must rise to Order again. I said not one single word with regard to revelations made as to what passed in the Cabinet; but I have a right as an individual Member of your Lordships' House, when un-Parliamentary language is used, to rise and protest against it. I have not the slightest doubt it is un-Parliamentary for one Peer to state of another—whether a late Colleague or not—that what he said was not true, and I adhere to my remonstrance; but I protest against any further inference being drawn from what I said.

THE MARQUESS OF SALISBURY: I will only repeat my assertion that I did not intend to make, and I do not think I did make, any imputation on the veracity of the noble Earl (the Earl of Derby), though, undoubtedly, I make the strongest protest against the correctness of the statement which he has made. That being the case, I will now come to the question of policy. The noble Earl has discussed with considerable severity the policy of annexing the Island of Cyprus, and has suggested all kinds of difficulties and dangers. The noble Earl has shown that fertility which I think his mind is apt to display in finding reasons for doing nothing in the matter. He has dwelt upon a great variety of objections which it is always easy to put together; but, as the noble Earl was going through them, it occurred to me to think what would be the nature of a speech we could suppose him to have made upon some project for the extension of territory in India, had he lived 100 years ago. The noble Earl has told us that, as the soil was not being developed, it was absurd to take an island in which English labourers could not live. Well, suppose the question of making one of these acquisitions in India was brought on 100 years ago, how ingenious would have been the difficulties which my noble Friend would have raised; how he would have magnified the adversaries England would possibly have to contend with; and how he would have put together an ingenious conjunction of imaginary dangers. How he would have gloated over the possible opposition of France. It is singularly easy for any mind which has the faculty of destructive criticism to such an extent as my noble Friend possesses, to conjure up reasons for doing nothing; but if these reasons had prevailed with our ancestors, not only the Empire of India but the Empire of England would not have existed. My noble Friend has sufficiently shown, by the language which he has used, and the gloomy vaticinations as to the fate of India in which he has indulged, that his sympathies are not very strong with those who built up that Empire. My noble Friend would have confined the enterprize and power of England to this single island. Perhaps he might, by a great effort, have consented to our acquiring the Isle of Man! But all these splendid, bold, and even hazardous enterprizes by which the power of this country has been built up, and on which the fame of England reposes, would have fallen beneath the touch of his chilly and negative criticism. We have been asked by the noble Earl opposite (Earl Granville) what we are going to do with Cyprus. We have been asked what are its qualities of soil and climate, and I am sorry I have not brought down some authorities which would have satisfied the noble Earl on these points. If, however, the noble Earl will consult the *Encyclopædia Britannica* when he goes home, he will get all the information which he desires. But the answer to all he has said about the island being unhealthy, poor, and that there are no seeds of prosperity in it, is the simple statement that in times past it sustained 1,000,000 of population. I do not suppose that anybody will deny, in the first place, that the possession of the island by England is likely to exercise a great civilizing influence; and, secondly, that the presence of the English flag, the presence of English troops, and the accumulation of English material of war, will be a powerful aid if it should ever be our duty to assist any of the populations of Asia Minor in maintaining their independence. The real question is, whether we ought to have come to an arrangement by which we have engaged to defend the Turkish Empire in Asia in case of attack by Russia. The noble Earl (Earl Granville), when detailing all his objections to that undertaking, appeared to forget a certain Tripartite Treaty to which he was one of the consenting parties. That was a Treaty which bound England not only to defend one single frontier of the Turkish Empire against one single enemy, but to defend that whole Empire, and gave either of the other Powers an absolute right to call on England for its defence. The real question to ask is, not whether we have taken a great responsibility, but whether the problem we had to solve, and the objects we had to accomplish, were worthy of that responsibility? The whole existence of this country as a great Power is a continual incurring of responsibility. No guarantee, no Treaty by which we could bind ourselves to enter on a desperate contest, is half so binding as an obligation to defend every inch of territory belonging to the Queen if attacked. Wherever we have a great frontier, extending and liable to be attacked by any military or naval Power, there we have incurred this terrible responsibility; and this responsibility may, at any moment, be called into real existence by any act of imprudence or aggression on the part of those States to whose attacks our frontier may be exposed. If we have made up our minds that we are to evade responsibility altogether, we have made up our minds that we ought to renounce Empire. But the question we have to ask ourselves is, whether the responsibility which we have incurred is greater than the responsibility which we would have incurred if we had left the thing alone? We must decide for ourselves whether we are prepared to leave the countries of Mesopotamia and Asia Minor to the fate which inevitably awaits them. It is impossible, unless the Sultan's power in Asia is sustained, that the people of that country should believe in his strength as they have hitherto believed in it. We should have had them speculating on its probable and early fall, and looking to his successor. In Europe good government and other qualities may secure the sympathy of a population. In the East the first quality that secures the sympathy of a population is the possession of strength, and the moment they were convinced that strength had gone from Turkey, the power of Turkey to maintain her Empire was gone. Are your Lordships prepared to see the allegiance of the people of Asia given up to the advancing Power? If so, I ask whether there would be any chance of maintaining the loyalty of the people of India, when once they knew that the Russian power was dominant down to the banks of the Tigris and Euphrates, and that the English power was nothing compared with it? That was the real danger which we had to fear; and what we had to ask ourselves was, supposing Russia attacked these countries, would we defend them? The answer which we ventured to give on behalf of England was that undoubtedly we should. Well, if we had come to this resolution, was it not the wisest and most prudent thing to declare it? I have often heard it said, and I believe it to be true, that the Crimean War would have been averted if the Emperor Nicholas had known for certain that war would have followed. It was because the British Government of that day shilly-shallied and temporized, because they would not declare themselves clearly, that the Emperor Nicholas was induced to speculate on their supposed hesitation, and commit his nation to a point at which retreat became impossible. We desire, and I believe we have succeeded in our desire, to avoid any such danger. We have a strong conviction that there is a statesmanlike Party in Russia which does not desire this indefinite policy of extension and annexation; but which desires to cultivate and extend he resources of the country and avoid the perpetual recurrence of these exhausting and desolating wars. By pointing out to that nation the danger that will inevitably arise if this policy of annexation is pursued in Asia Minor, by announcing it in terms which leave no room for mistake as to the meaning of the policy which this country is likely to pursue, we believe that we have given an assistance to the more statesmanlike, more prudent, and more sagacious of the advisers of the Government of Russia which will be invaluable to them, and that we have taken the strongest security for insuring in the future that peace which it has been our happiness to bring back to England.

THE EARL OF DERBY: I desire to ask the indulgence of your Lordships while I say a few words in regard to a purely personal matter. My noble Friend, who has just sat down, has made a statement that is very serious in its bearing upon me. I will only say in passing, that though I readily accept my noble Friend's correction of his words, when he said he did not intend to charge me with anything more than a want of accurate recollection, I still think that the words which fell from him carried a meaning much beyond that. But I take no notice of anything which may have fallen from my noble Friend which on deliberate reflection he would not maintain. What I have to speak to is a question of accuracy, and I feel bound to tell you that I distinctly and positively repeat the statement which I made just now as conveying to the best of my recollection that which actually passed. Everyone knows that business of the kind which we had been discussing is not put upon paper, and, therefore, there may be room for considerable confusion and ambiguity. The decision which I spoke of may have been modified in various ways. It is perfectly possible that some of the Members of the Cabinet did not intend to give it an absolute sanction; but I have stated to the best of my recollection what occurred. That I am sure your Lordships will not doubt. With regard to the question of memory, I have only two remarks to make. In the first place, when a man has to consider whether a particular decision will or will not allow him to remain in the Cabinet, he is not likely to be careless or forgetful in regard of what is passing. In the second place, foreseeing the possibility of some explanation being necessary at a future date, I made within two hours of the time a memorandum of what I understood to have passed. My noble Friend attacks me with some unnecessary bitterness for what he calls revelations of what passed in the Cabinet. When a Minister unfortunately feels himself obliged to separate from his Colleagues, I do not think it can reasonably be contended that he is not free to state the grounds on which the difference of opinion arose. It has been an invariable rule that he should do so; and it is quite clear that if that were not the rule, no man's reputation when he retired from a Cabinet would be capable of vindication from attacks made upon it. It is perfectly right that he should suffer considerable risk of misconstruction and misinterpretation until a time when no public injury would arise from that difference of opinion being known; but when that time has arrived, he has a duty towards his own character and towards the public. I have stated my reasons now, and I do not think I am likely to have been careless or inaccurate in my account of what took place.

THE MARQUESS OF SALISBURY: As the noble Earl has repeated remarks which show him to be under the impression that I have impugned his veracity, I am bound to withdraw any statement which may have seemed to have borne that interpretation; but I have still to state distinctly my belief that his view is not correct. In that belief I am confirmed by the opinion of my Colleagues. But whether he draws from my simile or from my words any impugnment of his veracity, I intended no such imputation, and I withdraw them so far as they seemed to convey one.

THE EARL OF NORTHBROOK*: My Lords, it seems to me that no public advantage would be obtained by a continuation of the discussion on the painful subject which has just been referred to. It is not my intention to trouble your Lordships with any general observations upon the Treaty of Berlin; and, indeed, in my opinion, Her Majesty's Government may fairly be congratulated upon many of the provisions contained in that Treaty. I shall address myself exclusively to two subjects which particularly concern the Queen's Dominions in Asia—the despatch of Indian troops to Malta, and the Convention with the Porte of the 4th of June last. When, some weeks ago, a discussion took place in this House upon the despatch of the Indian contingent to Malta, there was an understanding that it should be strictly confined to the Constitutional question; because, in the then state of affairs, it was considered that to discuss the policy of the measure might embarrass Her Majesty's Government. This reason for reticence no longer exists, and I desire to take the first opportunity of expressing my approval of the course taken by the Government. I will not examine whether the despatch of the British Fleet to Constantinople was necessary or right; but it is obvious that when once the Fleet was despatched, peace or war hung upon a thread; and, such being the case, it appears to me that Her Majesty's Government pursued a wise course in showing that they were determined to support that step by the whole strength of this country—by calling out the Reserves at home, and by the despatch of a portion of Her Majesty's Native Indian Forces to Malta. The greatest loyalty and enthusiasm was shown by those troops, and the manner in which the movement was arranged is highly creditable to the head-quarter Staff of the Army in India, as well as to Sir Richard Temple and the Departments at Bombay, who had to carry out the operation. The measure, moreover, has, I am satisfied, produced a good effect throughout India. During the war between Turkey and Russia there had been, as was natural, some excitement in India; rumours had been current in the Indian bazaars regarding the power of Russia and possible dangers to India. It had, therefore, an excellent effect that those who paid any attention to such rumours in India should see that when there was a probability of war between Russia and England, so far from any apprehensions being entertained of danger to India—so far from the British Force in India being strengthened in order to provide against such dangers—the first step taken was to send away from India a contingent of Native troops, who might, if necessary, take their part in the conflict. My Lords, I also think it is a good arrangement that some of the Indian troops should form part of the Force detailed for occupying Cyprus, if, as I have no doubt will be the case, every precaution be taken to provide for their health. This is not the time to enter into the question of the employment of Indian troops in our garrisons in the Mediterranean in ordinary times; such an arrangement is a very different thing from the employment of a Native Indian Force on such an emergency as has recently occurred, or under similar circumstances, and it involves questions of no little difficulty. I will only say that I trust no decision will be arrived at regarding the general employment of Indian troops in the Mediterranean, or elsewhere out of India, in time of peace, until the question has been most carefully considered by Her Majesty's Government, in communication with the Government of India. The next subject upon which I desire to address some observations to your Lordships is the Convention of the 4th of June, by which Her Majesty's Government have guaranteed the integrity of the Asiatic Dominions of the Porte against Russian attack. It appears, from the despatches of the Secretary of State, which have been laid before Parliament, that this Convention has no concern with the position of the Turkish Dominions in Europe, as settled by the Treaty of Berlin. We have just heard from the noble Marquess (the Marquess of Salisbury)—and I was glad to hear it—that the arrangements of the Treaty of Berlin have, in the opinion of Her Majesty's Government, secured Constantinople against Russia. The Convention is designed entirely for the purpose of protecting British India against dangers which are apprehended in consequence of the acquisition by Russia of Batoum, Ardahan, and Kars. The Prime Minister has said to-night that the Convention is necessary for the maintenance of our Empire, and for its preservation in peace; but neither he nor the noble Marquess have explained to us in what the dangers consist which the Convention is to meet, nor how the Convention itself will add to the security of India. My Lords, as I believe Her Majesty's Government have, as many people are apt to do, very greatly exaggerated the power of Russia for offence, and have fallen in with the ideas of those who imagine that the least progress on the part of Russia is an immense danger to India; and as I think that the Government by this Convention, so far from having added to the strength of the Indian Empire, may have added seriously to its dangers, I wish, in the absence of any information from Her Majesty's Government, to examine a little in detail what the apprehended dangers to India can really be. We have often heard of the possibility of a Russian invasion of India; but is the invasion of India by Russia apprehended by Her Majesty's Government? I presume not. If there be any such feeling, I do not share in it. If there were any such feeling, I do not think that this Convention is a wise measure of precaution. Those who have studied the Russian Dominions and the Indian Possessions of the Crown, must be aware that there are two routes by which India cannot be seriously assailed. The first is from the North-east over the Himalayas, and the other is from Turkestan. The one from the North-east may be put aside as quite impracticable; and, to say nothing of the distances to be traversed, the resources of Turkestan can never sustain an invading force. We may take it for granted that the only route which presents even the elements of practicability for the invasion of India is by way of Persia. If Russia were to obtain a complete control over Persia, it may be said that she might collect an army at Teheran with the view of an advance upon India. I myself entertain no apprehensions on this score. The distance from Teheran to our Indian frontier is 1,500 miles, and there are many other reasons which lead me to put aside the danger as unworthy of serious consideration. But even if I should be wrong, this is a danger which can hardly be intended to be met by this Convention; for the Turkish territories in Asia which we have engaged to protect are not on the line between the Russian territories in the Caucasus and Persia, or between Persia and India, but lie far away to the rear of the line of operations. My Lords, it is possible that Her Majesty's Government may be afraid that the Russians may advance through Asia Minor, so as to threaten the Suez Canal or the Persian Gulf. As to the Suez Canal, I think the noble Marquess (the Marquess of Salisbury) a year ago answered conclusively the apprehensions on that score. So long as England has command of the sea, the Suez Canal is safe. I should say, if any precautions were to be taken for the protection of the Suez Canal, they ought to be taken in another direction, and not by entering into this Convention. France and Italy are Mediterranean Powers, and it should be our policy to act in concert with them. What remains? The Persian Gulf. Is there any danger to the Indian Empire from the possible advance of Russia towards the Persian Gulf? I believe there is no risk of such an extension of Russian power in Asia Minor as can endanger our command over the Persian Gulf. But if it should be ever really threatened, we need feel no apprehension of being unable to take the necessary steps to maintain our interests; we should be close to our resources, our enemy far away from his. But it may be said that, although there may be no actual danger to India from the Russian acquisitions in Armenia, yet the prestige of Russia will be increased by them, the prestige of England will be diminished, and this will be disastrous unless some means be taken to counteract it. It is possible that the acquisition of Kars may be considered in India as having added to the power of Russia; but I am altogether opposed to the doctrine that the existence of such vague impressions is a sufficient reason for undertaking liabilities such as are involved in this Convention; nor do I see that the Convention in itself is likely to counteract the effect of such rumours. My Lords, rumours regarding the advance of the power of Russia are not new. They have often been considered by Indian statesmen; and, in the opinion of most Indian statesmen of late years—for instance, of Lord Canning, Lord Lawrence, and Lord Mayo—they should be met, not by such measures as are contained in this Convention, but by the good government of India, by the development of her resources, by the maintenance of friendly relations with our neighbours, and by satisfying them that we have no desire to extend our own territories, or to interfere unnecessarily with their internal affairs. I will read the words used in 1869 by my noble Friend (Lord Lawrence), then Viceroy of India, than whom no man was better able to form a judgment upon the military and political position of India—

> "Should a foreign Power [he wrote expressing the deliberate opinion of the Government of India, of which he was the head] such as Russia, ever seriously think of invading India from without, or, what is more probable, of stirring up the elements of dissatisfaction or anarchy within it, our true policy, our strongest security, would then, we conceive, be found to lie in previous absence from entanglements at either Cabul, Candahar, or any similar outpost,"—

and entanglements at Cabul or Candahar would be trifles compared with those which may result from this Convention—

> "in full reliance on a compact, highly-equipped, and disciplined Army stationed within our own territories—in the contentment, if not the attachment of the masses—in the sense of security of title and possession with which our whole policy is gradually imbuing the minds of the principal chiefs and the native aristocracy—in the construction of material works within British India which enhance the comfort of the people, while they add to our political and military strength—in husbanding our finances, and consolidating and multiplying our resources—in quiet preparation for all contingencies which no Indian statesman should disregard, and in a trust in the rectitude and honesty of our intentions, coupled with the avoidance of all sources of complaint which either invite foreign aggression or stir up restless spirits to domestic revolt."

I wish that Her Majesty's Government had listened rather to the wise opinions of my noble Friend than to the exaggerated views of the power of Russia which appear to have influenced them. But, my Lords, is it supposed that the Treaty of Berlin and this Convention will be acceptable to the Mahomedan subjects of the Queen in India? If I am not greatly mistaken, the Mahomedans in India would have been delighted if Her Majesty's Government had given an effective support to the Porte, and had undertaken the support of Turkey against Russia. But is it conceivable that Mahomedans who are sincere in their religious convictions can be gratified at a Treaty, which is, in effect, an Act for the partition of the Turkish Empire? Is it likely that they will be pleased to hear that the dominions of Turkey in Europe have been reduced so as to comprise only 6,000,000 of people, or that they will contemplate with satisfaction the probable assumption by the British Government of the administration of the Asiatic territories of the Sultan? My Lords, it is well to remember that no support which England can give to the Turkish Empire will conciliate the disloyal portion of the Indian Mahomedans to our rule. This is not mere theory. We know how little the expenditure of English blood and money in defence of Turkey influenced the disloyal Mahomedans a quarter of a century ago. It was not a year after the Crimean War when the Indian Mutiny broke out, and one of the main instigators of that Mutiny was a Mahomedan who had just been to Constantinople, and had himself seen the sacrifices we had made for the Turkish Empire. The disaffected Mahomedans were not influenced for a moment by the sacrifices we made for the defence of Turkey. My Lords, I have endeavoured to examine the dangers to India which may be supposed to result from the Russian acquisitions in Armenia, and I can come to no other conclusion than that the power of Russia to endanger India is a bugbear conjured up by Her Majesty's Government, and that no serious danger to India can result from those acquisitions. I now come to the consideration of the Convention itself. Its objects are partly military and partly civil. It provides for the protection of Asiatic Turkey by England from Russian attack, and for the reform of the administration of the Asiatic Dominions of the Porte. It is somewhat remarkable that there are no stipulations for the purpose of carrying out the military objects of the Convention. If the obligation we have incurred is not to be a mere paper obligation—if we are not to trust to the chapter of accidents, and be liable at any time to be drawn into war under the greatest possible disadvantages—I presume the first thing to be done is that Her Majesty's Government should arrange with the Porte for the construction and armament of some fortified position, either at Erzeroum or elsewhere, to afford a basis for the defence of the Turkish frontier against an attack from the Russian Force in the Caucasus. Her Majesty's Government must also, I presume, arrange for the organization of a respectable Turkish Force—say of 50,000 men—for the defence of the frontier. The Turks have proved themselves to be excellent troops; but they are badly officered, and their Army is almost entirely deficient in the medical and supply services, which are essential for operations in the field. My Lords, I find no stipulations of the kind in the Convention, and it seems that the only measure which Her Majesty's Government have taken to enable us to fulfil our obligations is the occupation of the Island of Cyprus. I should have liked to hear some explanation of the value of Cyprus for the defence of the Asiatic frontier of Turkey. It seems to me to be very doubtful whether Cyprus is well situated to form the base of any military operations we may have to undertake for this purpose. It would rather appear that in the event of any such operations, as in the Crimean War, the natural base would be Constantinople, and that the Force would be despatched to Trebizonde, or to some point nearer the scene of operations than Alexandretta. The noble Earl opposite (the Earl of Derby) addressed some weighty observations to your Lordships on the subject of Cyprus; but the noble Marquess who spoke last (the Marquess of Salisbury), had no better answer to give to those observations than to say that as the noble Earl objected to the acquisition of Cyprus, it follows that if he had lived in the times of Clive or Warren Hastings, he would have objected equally to the acquisition of our Indian Empire. The noble Marquess apparently could give us no information whatever as to the advantages or disadvantages of Cyprus, otherwise than by referring your Lordships to *The Encyclopædia Britannica.* I wish the noble Marquess had been able to give us some assistance in this matter—that we might at least have had one half-pennyworth of bread to all this sack. My Lords, I am so confident in the power and resources of England, that I do not doubt that the undertaking given by Her Majesty's Government can be carried into effect. I do not say that this country has not troops enough, and money enough, to defend the Asiatic frontier of Turkey against Russia; but I contend that as regards the object which the Prime Minister has told us is contemplated by the Convention—namely, the maintenance of our Indian Empire—we have undertaken a liability which is unnecessary, which is certain to be inconvenient, and which may be dangerous. Your Lordships know well that England cannot maintain such armies as are at the disposal of the Continental Powers of Europe, without entirely altering our military system. Having undertaken this liability to protect the Asiatic frontier of Turkey, we may be called upon to fulfil it at a time when there may be some other demands upon our military resources, possibly really affecting the security of India; and it would be in the power of Russia, by a menace of the Asiatic frontier of Turkey, seriously to cripple our available military strength. As regards the civil part of the Convention, your Lordships have heard more than once to-night of the engagements into which Her Majesty's Government have entered. By the 61st Article of the Treaty of Berlin, there is an undertaking on the part of the Porte to carry out without further delay the ameliorations and reforms required by the Armenians. But the improvement of the internal administration of the Asiatic Dominions of the Porte has not been otherwise provided for by the Treaty of Berlin. It appears, however, that we have undertaken in the Convention to prevent misgovernment in Asiatic Turkey. I should like to have heard something from the noble Marquess or the Prime Minister, as to the manner in which this obligation is to be carried into effect. I believe the condition of the Turkish Dominions in Asia to be deplorable. As regards the cultivators of the soil, who, as your Lordships are aware, constitute the most important portion of the population in all Eastern countries, full information will be found in a Report made in 1869 by Mr. Palgrave, who was then British Consul at Erzeroum. That Report shows that by bad laws and bad administration, the cultivators of the soil have been reduced to the verge of ruin, the old landed gentry have been swept away, and so long as Turkish rule exists, Mr. Palgrave can see no hope of a remedy. The corruption which extends throughout the whole Administration—the want of means of communication—the neglect of education—the maladministration of justice—in short, the accumulation of every abuse and defect which is possible even in an Asiatic State, has produced a condition of things which I believe does not find a parallel in any country in the East, unless, perhaps, in Persia. My Lords, we have heard from the Prime Minister that the reforms are to be carried out in communication with the Sultan, and with his concurrence. Can any of your Lordships, knowing what the Government of Turkey is, and remembering the history of the last 20 years, really suppose that there is a probability of the Turkish Government voluntarily reforming the administration of the Asiatic Provinces in accordance with our advice? What reforms are necessary to put this country into a decent state? The first thing to be done is to revise the assessment of the land, and to try to set up some persons having an interest in the land between the occupiers and the Government. Then you must have a well-organized and well-paid police, honest officers, and Courts of Justice which can be relied upon. Is it possible to get all this in Turkey? Where is the necessary money to come from—where are the resources? Is it probable that these reforms will be made with the consent of the Turkish Government; and if not, in what position shall we be placed? In the same position as we have been placed with regard to some of the protected States of India. We shall keep up the Turkish Government, protecting it from external attack; and when we find the people badly governed, have we no remedy to apply? That is a state of things which neither Parliament nor the country would tolerate. Notwithstanding what has been said to-night—that there is no partition of Turkey—it seems to me, if this Convention is carried out, that we run very great risk of being forced in the end to annex, or at least to administer, the whole of Asiatic Turkey. What will be the result of that? We shall be told that is rather a desirable thing; that what we have done in India can be done in Asiatic Turkey; that we have magnificent officers in India who will be able to administer the country, and that if we should be forced to annex it, it will add to the strength of the Empire. That is not my opinion. It is a very different thing to acquire gradually such an Empire as we have obtained in India, and to have thrown on our hands, all at once, a country as large as half of Europe, which we shall have to raise from the state which I have endeavoured to describe into a condition of prosperity. Moreover, Asiatic Turkey is essentially a Mahomedan country. Is it likely that 10,000,000 of Mahomedans will be long content to be governed by British officers and under British rule? Will our position be secure without the presence of a large Force of British troops? And will not the necessity of providing such a Force be a stain upon England and a weakness to India? The noble Marquess thinks that in consequence of the Russians possessing Kars, the Mahomedan population of Asia Minor will be content to gravitate towards Russian rule. I do not believe it. Mahomedanism is a religion which chafes under foreign rule, especially the rule of a nation whose religion is not Mahomedan. A really religious Mahomedan cannot be content with other than Mahomedan rule. I maintain that the administration of Asiatic Turkey, which under certain circumstances must result from this Convention, will be not a strength, but a weakness, to the Empire. The considerations which I have urged upon your Lordships respecting the civil administration of Turkey in Asia will show my opinion of the difficulties which we may, at some time or other, have to encounter if this Convention be carried into effect. At the same time, they may to some extent satisfy your Lordships that there is no probability that Russia will ever become a danger to us, if she should be really desirous of extending her dominions in Asiatic Turkey, for she would have to encounter precisely the same difficulties that I have endeavoured to describe. I entreat Her Majesty's Government, both with regard to the military arrangements to be made in consequence of this Convention, and with regard to the arrangements for the civil reforms to which they have pledged themselves, to act with great caution, and not to commit themselves to any further measures until they see how far the Turkish Government are willing to meet their views, and how far their policy can be carried into practical effect. My Lords, there is no one of your Lordships who has been so recently and so intimately connected with Her Majesty's Indian Empire as I have. No one can feel more anxiety for the welfare of that Empire, or a firmer determination to assist in protecting it from all dangers; but I am convinced that the policy of Her Majesty's Government on which the Convention with the Porte of the 4th of June has been entered upon, was prompted by exaggerated apprehensions of the danger to India from the acquisition of a portion of Turkish Armenia by Russia; and, further, I think that the Convention itself, so far from being likely to have the effect, contemplated by the Prime Minister, of maintaining our Indian Empire and preserving its peace, is certain to bring us into considerable difficulties, and may become a serious danger to the interests of that Empire which it is the desire of Her Majesty's Government to protect.

VISCOUNT CRANBROOK: The speech of the noble Earl who has just sat down seems to me to call for a few remarks on my part. The noble Earl has been somewhat inconsistent in the course he has taken. He seems to think that, as a necessity of the case, we must suppose that Russia is about to invade India, or that there is a probability of it. Now, an absolute invasion of India by Russia is a danger which no one who is acquainted with the great distances between the two countries has in immediate contemplation; and the danger which has been supposed to exist has been rather the effect which the approach of Russia would have on the Indian population. The statement of the noble Earl, that he approved all that was done with respect to Europe, and that he also approved the despatch of the Indian troops to the Mediterranean, was wholly inconsistent with the rest of his argument, that the effect on the people of India would be nothing. The fact of bringing over the Indian troops showed that England was bound to India both in government and people. The noble Earl could not but admit that it would have a material effect on India; and, therefore, in commending the use of the Indian troops, he was relying on the very effect which he affected to depreciate. Then the noble Earl said he did not think Russia would ever think of invading the territory of Asia Minor; but, if so, all the difficulties and dangers which he apprehended fall to the ground; and those wars and rumours of wars to which my noble Friend below the Gangway and the noble Earl opposite alluded are gone, and we are left in peace to bring things in Turkey to a better condition. The argument of the noble Earl, who has governed 40,000,000 of Mahomedans himself with success, that we shall be unable to bring into a better condition the Mahomedans of Asiatic Turkey, seems to be contrary to all sound reasoning. The noble Earl supposes we have made a Convention by which we are to wave a wand and immediately produce contentment, happiness, and peace in regions which for years have been left desolate and in confusion. We pretend to do no such thing. As my noble Friend the Secretary of State for Foreign Affairs has stated in the letter accompanying the Treaty, Turkey has another opportunity of adopting measures of good government, and this, of course, must be done by degrees. Does the noble Earl mean to say that because Asia Minor and Asiatic Turkey generally is in this miserable condition, the populations were so degraded and debased that England is to abstain from holding up a finger in their behalf? Why, two years ago, the Government were being continually reproached because they had not used force in order to compel Turkey to govern her populations better. Yet, now, because we have entered into a Convention dependent on the good conduct of Turkey, a hobgoblin is conjured up, and we are told that we are embarking on those great dangers and difficulties which we were invited to court two years ago. But suppose that, contrary to all these dismal vaticinations, we introduce peace and prosperity into these countries? Is not that an object for which a nation may properly incur some little trouble and responsibility? When the noble Earl says that no means exist for bringing about such prosperity, I would ask him whether he has lost all confidence in his countrymen? Does he not know that the moment peace, order, and tranquillity are introduced into a country so rich in itself, English and European capital will flow towards that country? The policy of this country for generations past has been one which the noble Earl seems to think is entirely wrong. He appears to think that if Russia were to advance on Asia Minor and to go to the Euphrates and the Persian Gulf, we ought to stand aloof.

THE EARL OF NORTHBROOK: No, no.

VISCOUNT CRANBROOK: Well, if that is not the policy which the noble Earl recommends, what is it? The noble Earl is, in fact, speaking in a different tone from that which has been adopted by every statesman in this country for generations past. Why should the Indian troops have been brought to take part in the proceedings which were apprehended some time ago? It has always been held that the possession by Russia of Constantinople, the control of the Straits and the Black Sea, and also, probably, of the Mediterranean, would have a most prejudicial effect on our Indian Possessions. We are asked by the noble Earl to give an account as to how we are to assist the Turks in their civil and military government. I was astonished at his proposal that we should tell him the military preparations we are going to make for the defence of Asiatic Turkey. We have not undertaken to defend the frontiers of Asiatic Turkey by military operations on that particular point. We merely say that if those frontiers are menaced we will defend Turkey against the aggressor; but the mode of doing so is a military question to be solved at the time. With regard to the civil administration, the noble Earl himself gave such a description of what is required that one might hope that he may be sent to administer the country; because, if he is, there will be great hopes of his bringing about every reform that is necessary. The Treaty which has been concluded with Turkey does not provide the means by which reforms are to be effected. On the contrary, it provides that all these matters are to be settled afterwards. There are stringent conditions; and, in my opinion, we should have committed a great wrong if we had undertaken to assist Turkey in the way we have without binding her to good government. Reference has been made to the difficulties which the Sultan had experienced in the beginning of his reign. Never, probably, was a man so unfortunate. There was never a day in which he could consider himself out of personal danger. The Sultan has been in a position such as no Monarch on earth probably ever was in before. And yet people expect him to bring about, instantly, enormous changes in Asiatic Turkey. I believe the Sultan is a man of good will and good purpose; but, unfortunately, he has been surrounded, as other Sultans have been, at Constantinople by men who have been parties to the old and corrupt system of government. Let us hope that we shall, to a certain extent, relieve him, and that the necessity of his position, with Europe looking on at the work which is being accomplished, and with the warnings of those many years which have passed over without any interference on the part of the Government of which the noble Earl opposite was a Member, in order to effect a single reform in Turkey, will now lead to a better state of things. You pledged yourselves by the Treaty of 1856 to bring about good government in Turkey, but what did you do to enforce what you had promised? It is an old vulgar adage that "too many cooks spoil the broth," and I am afraid that what was the business of all the Powers of Europe was treated very much as if it was nobody's. But now all that is changed. We have undertaken, as a matter of real business, a duty which casts upon us a great responsibility; and if we can bring about in Asiatic Turkey anything like peace and prosperity, even though a long period may pass over—and I say it must be a work of time, it is a thing which must be done carefully and gradually—if we can bring about a higher degree, I will not say of the civilization of modern Europe, but of civilization and order, so that the reign of violence will cease, and men will be able to attend to their legitimate industries, we shall have done a work which will be a satisfaction for the responsibilities which we have undertaken, and we shall have fulfilled the highest duty of a civilized nation.

THE EARL OF KIMBERLEY: My Lords, before I allude to what has been said with regard to Asia Minor, may I be permitted to recall the attention of the House to some remarks made by the noble Marquess the Secretary of State for Foreign Affairs, which were not noticed, I believe, by my noble Friend who followed him (the Earl of Northbrook). Considering that the policy pursued in the East for the last two or three years may now be considered to have reached its natural termination, I do not think it is at all unreasonable that we should take a general view of its results. There are various ways in which that may be done. If we look at the general result from the point of view which was very popular not long ago with many Members of the Party opposite in connection with the foreign policy of the country, I do not think we can feel any deep satisfaction at what has recently taken place. Many Members of that Party were very anxious that the position of Turkey should be maintained, and that her independence should not be sacrificed; and the result is what the noble Earl at the head of the Government described, not as a "partition," because that is an offensive word, but as a "re-distribution" of the Dominions of the Porte. This reminds me of some well-known lines in *Shakspeare*—

> "Convey, the wise it call: steal!
> foh: a fico for the phrase."

We are told that what has been done is not a partition, but a re-distribution; but by whatever name it is called, it means exactly the same thing. There have been partitions of various kinds, and I am sure the noble Earl opposite would be the last person to forget that Poland has been effectually partitioned or re-distributed by degrees. There was more than one bite at that cherry, and by the very large bite which has now been taken at Turkey, the way has been paved for its partition at no distant day. I was quite surprised to hear the noble Marquess opposite speak in the manner that he did of the policy which has been pursued recently. He said that the principle which the Government had laid down for itself was that of watching to see whether some opportunity might not present itself for re-instating and re-invigorating the Porte. My Lords, is this re-instating and re-invigorating the Porte? The Porte might well exclaim—"Heaven preserve us from such a process of re-instating and re-invigorating!" Why, Turkey in Europe has almost ceased to exist. This process of re-instating and re-invigorating has altered the whole position of Turkey. The Treaty of Paris may have been open to some objections; but it was, at all events, a Treaty which preserved the whole of Turkey complete, and not a mere fragment of it, as is the case under the arrangement explained by the noble Earl at the head of the Government. This is not, however, in my view, a cause for regret. I do not think, that as matters stand, the partition of Turkey effected by the Congress is a thing that ought to be regretted, and I agree very much with the late Foreign Secretary (the Earl of Derby) that, looking at all the circumstances, the Congress has probably made the best it could of the terrible mess it had to deal with. The noble Marquess has spoken of the position of Austria, as if he had made quite a new discovery, as if he were making a revelation to the House. He has told us that Austria is a Great Power, and one which could not but have to be reckoned with in any settlement of the Eastern Question. [The Marquess of SALISBURY interposed an explanation which was inaudible.] I perfectly well remember that the noble Marquess spoke of the position of Austria in regard to Novi Bazar, as if that had settled the Eastern Question. If anybody tells me that what occurred in that respect settled the Eastern Question, he must believe me to be a very credulous person. I venture to say that the position of Austria in relation to this question is no recent discovery. Anybody who remembers the Crimean War, and the position of European Turkey during the progress of that struggle, must feel that there is nothing new in the position of Austria. There is nothing new in the present position of Austria except that she has accepted, and taken part in, the partition of Turkey; and unless Austria was to be destroyed, she could not sit by and see Russia take position of European Turkey without interfering. The embarrassments which Austria has suffered owing to the peculiarities of her position, and owing to the difficulties connected with the Maygar and Slav populations, are pefectly well known, and I do not see any reason to find fault with her for the course which she has recently pursued. That you yourselves have discovered that Austria took an interest in the Eastern Question, and, therefore, that the interests of the Porte are safe, is one of the greatest delusions that ever entered into the minds of public men. I wish now to say a word or two about Eastern Roumelia. I must, for my part, honestly and frankly say that I think the present arrangement is an improvement on the previous one. I think that what the noble Earl at the head of the Government said about the desirableness of not entering into details at present was quite right, but I agree with him that, as a whole, the present arrangement is better than the former one; and I think it is better because it avoids the risk of allowing the Slavs of Bulgaria to overrun the whole of the territory occupied by the Greek population in the Southern part of Turkey in Europe, or near the Ægean Sea. I repeat that I think this arrangement is better than the preceding one; but when it is spoken of as a great gain to the Porte, I think it cannot be out of place for me to refer to a despatch which I think Her Majesty's Government will not be disposed to treat with contempt. I allude to a despatch written by our Ambassador at Constantinople, who may be described as more of a Turcophile than the Turks themselves, in June, 1877. In writing respecting the arrangement which was then suggested by the Russian Government, he said, that the destruction of the Turkish fortresses on the Danube, and the withdrawal of Turkish troops from the Province beyond the Balkans, would be the giving up of the main line of defence for Turkey in Europe, and the placing of the rest of the Empire, and Constantinople itself, at the mercy of Russia. Therefore, the Ambassador argued that the very thing which Her Majesty's Government have now consented to in regard to Bulgaria North of the Balkans, must lead to the complete disintegration of the Turkish Empire; and I believe that this was a sound view of the matter. The noble Marquess opposite remarked that the Sultan may send troops into this autonomous Province of Eastern Roumelia. That may strike many persons as a very important consideration; but I think the noble Marquess rather exaggerates the effect of the arrangement. The Governor General may, under the Treaty, apply to the Porte for troops in the case either of external danger, or of internal disturbances. But what is likely to be the effect of this arrangement? The Governor General is to be a Christian; and does anyone really believe that he would act in the interest of the Porte and not in the interest of the Christian population over which he ruled? It is a very easy thing to say that the Porte might send troops into the Province; but he will only have a right to send troops on the application of the Governor General, and there is a very great distinction between the two things. My Lords, there is one other point in connection with European Turkey on which I wish to say a word or two. As regards Greece, the Congress might have decided that it would do nothing; but what I wish to point out is that by the course it pursued, it has laid a foundation for fresh disturbances. The noble Earl at the head of the Government said that Greece has a future before her. I also say that she has a future; but upon what does that future depend? Upon the extinction of the Ottoman Power in Europe; and in proportion as the hopes of the Greeks are realized, must the Ottoman Power in Europe disappear. When you talk of Turkey still having 6,000,000 of people in Europe, you forget that a considerable portion of that population consists of Greeks. You have prepared the way for an approximation to union. You have held out to Greece a complete bait for disturbance in that part of the Turkish Dominions. You say that she ought to have an addition made to her territory; but you have taken no effectual measures for securing to her an increase, and you may depend upon it that no long period will have elapsed before Greece will raise disturbances for the purpose of accomplishing an object which has been sanctioned by the Congress. Now, my Lords, I wish, in the next place, to say a few words upon another subject which has not yet been much discussed. I allude to the important Treaty which the Government have entered into for the defence of Asiatic Turkey. The noble Viscount who has just spoken (Viscount Cranbrook) has thrown more light on the policy of that arrangement than had been previously thrown upon it by any Member of Her Majesty's Government. Nothing could be more diplomatic than the manner in which that subject was dealt with by the noble Marquess; but I maintain that when so great an act has been done—and done, too, without the knowledge of Parliament—the least that we could expect from Ministers is that they should state frankly what is the meaning of their policy. There can be no doubt that the Secretary of State for India has just given us some notion of what that policy is. Now, let us just consider this matter, for it is really a very serious one, and even, at this hour of the night, is well worth considering. We have undertaken two things of high importance. Let us bear in mind that what has been done is a matter of extreme importance. This Treaty is, perhaps, the most important Treaty that has been entered into since 1815. It contains two undertakings; the first binding this country to defend Turkey against the attacks of any foreign Power; the second binding Turkey to effect a better administration of its affairs. It is strictly a Treaty containing two conditions, and the fulfilment of one condition is made dependent on that of the other. Now, there are two ways in which this Treaty may be executed, or rather two ways in which it may be dealt with. One is that of treating the Porte tenderly and with consideration, and taking a great deal of time to influence it. I should like to know what would probably be the result of pursuing such a course. The result would, I believe, be nothing. We know perfectly well what has been the result of the advice addressed to the Sultan and his Government during the last 20 years. We know what was the cause of the failure of the Treaty of 1856. The cause of the failure of that Treaty was this—that the policy of Lord Palmerston being founded on the hope of an amelioration of the Turkish system of administration, that hope was entirely disappointed. Upon that hope the whole policy of Lord Palmerston hinged. The policy of the Crimean War on the part of this country was, at all events, a consistent policy, the object being to relieve Turkey from foreign pressure, and to guarantee her independence on the condition that she should carry out the necessary reforms. Well, how did Turkey use her new power? Why, to get deeper and deeper in the mire, to borrow money until she became bankrupt, to resist for 20 years all attempts to induce her to effect improvements, until the conclusion became inevitable that it was necessary for the safety of other Powers that her rule in Europe should cease. What reason have we to expect that the same course will not be run in Asia? For some years after the Crimean War, there was certainly no lack of pressure on the part of the Government of this country. The Porte has one great quality—that of passive resistance—a quality which it possesses in a greater degree than any other Government in the world. Few men have ever been able to bear up against that kind of resistance. Probably the only man who ever knew how to do in Turkey was Lord Stratford de Redcliffe. We have been told with respect to the Sultan that he is a man of very enlightened views, and will listen to any representations which may be made to him by the European Powers with regard to the necessity of introducing improvements into his system of administration. I know but little of the present Sultan, and I sincerely hope that some part of the description which has been given of him this evening may prove to be true. He was, however, the Sovereign of Turkey at the time when the Conference was sitting at Constantinople, and I never heard of any great readiness being shown by him or his Ministers to effect reforms. Certainly there was no lack of pressure on that subject; but, whenever pressure has been exercised, it has been met by opposing to it a simple *non possumus.* Do you suppose, then, that we can alter the whole administration of affairs in Asiatic Turkey? If we content ourselves with giving advice with regard to Asia Minor, nothing whatever will come of it. What will happen will be that some 10 or 15 years hence, when this country has recovered from the glamour which the noble Earl opposite has cast over men's minds, difficulties such as those which have occurred in the European Dominions of Turkey will arise, at a moment when we are engaged in a dispute with the United States, or with France, or with some other country, Russia will point out to us that some of the subjects of Turkey are suffering, and ask us what we intend to do; and when we reply that we have given excellent advice, Russia will reply that advice is of no use, and will send troops into Turkish territory. When Turkey calls upon us to fulfil our guarantee for her protection, she will be told that she has not fulfilled the condition into which she entered with regard to the improvement of the administration of her affairs, that she has not listened to the advice which has been given to her for several years past, and that, therefore, that part of the Treaty is not binding upon us. The guarantee will furnish us with a *casus belli* against Russia, of which, if we like, we may take advantage; but we should probably decline to interfere, and I must say that that would not be a very creditable termination of the matter. But there is another course which has been shadowed out by the Secretary of State for India—a course under which our control over the administration of Turkish territory in Asia would be made a reality. The noble Viscount pointed to some measures which might produce that effect. Now, I have heard this matter a good deal discussed. There are, I believe, a great many people who feel as I do, that the Government has incurred a grave responsibility, and that this country never ought to undertake the task of repairing the administration of other countries. I am not one of those who imagine that a country can become great by shirking its responsibilities; but nations, as well as individuals, have been ruined by undertaking responsibilities without weighing carefully beforehand their ability to fulfil them. The Government seems to me to have been seduced into its present position by the failure of a great Empire; it has been tricked, as it were, by the notion of acquiring influence over the whole of the East, into overlooking the very serious responsibility which must be thus incurred. If you are to fulfil this responsibility, you may do it in two ways. One has been already pointed out—it is to organize a Native Force. Nothing, perhaps, could be more easy than to create a body of Turkish Sepoys. But how are they to be paid? If they are not paid by England, they must be paid from the Turkish Treasury at Constanstantinople, out of a balance that may be in it, which will probably not be much. But, besides the military question, there is the question of the civil government of the Turkish Provinces. We may attempt to control the administration of affairs by appointing Residents who shall have a right of control in such matters; but it does not follow that the Sultan or his Ministers will acquiesce in the advice which is given by the Resident. Let me suppose that the Governor of Erzeroum entirely declines to do that which we, or our Resident, may think ought to be done, how is he to be coerced into compliance with our wishes? It really comes to this—that having consented to the partitioning of Turkey in Europe, and provided against the future destruction of the Porte, you take the whole of the rest of the Dominions of the Sultan into your own hands. Now, my Lords, is that the end of our policy? And, if not, I shall be glad to be informed what is? Is it, in fact, an enlarged policy whereby we are to go and take the administration of Turkey entirely under our own control; because, unless we do so, and unless the policy is well maintained, the whole thing can only end in defeat. If, on the other hand, we are not to do that, I should like to know whether the country will go with the Government so far as it has gone, and upon what ground Her Majesty's Government have changed their minds with regard to the policy which they have hitherto been pursuing. My noble Friend behind me, who has criticized the policy of the Government with great force, has pointed out the danger that might ensue from carrying out that which has now been annunciated, and I own that I was not astonished at the time to hear the noble Marquess opposite state that, in his opinion, the idea of any danger to India in consequence of an advance of Russia through their being in possession of Kars or Erzeroum was a mere bugbear. The noble Marquess said that to go to war for any such idea would be a madness of which no one would be guilty, and that it was a mere nightmare to dream of any possibility of danger to India arising out of such a cause. My Lords, I believe it is a bugbear. I am not one of those who think that no precautions should be taken against Russian aggression; but my opinion is that whenever the Russians march upon India they will do it not by way of Kars or Erzeroun, but their basis of attack will be through Persia. I am not prepared to say that there is no danger as far as the route through that Empire is concerned. Anyone who knows Persia knows that it is perfectly helpless and prostrate, that its Government is as bad as it can be, and that anything like reform there is utterly hopeless. We know, also, perfectly well that the Persian Government is at the disposal of the highest bidder, and we know very well that when an attempt was made to drive the Persians out of Herat, in order that that important town might fall into Russian possession, our Government always insisted that Herat should not fall into Russian hands, because, if it did, everybody must know that the advance into India from Herat would be easy. But, my Lords, how that danger is to be averted by means of a Treaty by which this country undertakes to protect the frontier of Asiatic Turkey passes my comprehension. It seems to me, as my noble Friend says, that this Treaty tends very much to weaken us. Indeed, to undertake to defend an extended frontier would always do that, because an extended frontier is always a great source of weakness to any country. Your Lordships are aware that, owing to the necessary restrictions of which I do not complain, you could not use your Forces until war actually broke out. The Black Sea will not be opened and cannot be opened until that event, and when war did break out we should be placed under very great disadvantages. To suppose that the possession of Cyprus will enable us to protect this country against any advance on the part of Russia towards India would be to suppose something utterly repugnant to common sense and to every principle of the geographical disposition of our Force with regard to the defence of India. Neither, my Lords, can I conceive that there is the least pressure placed upon us for the occupation of Cyprus for the protection of the Suez Canal; and if there was any danger to that Canal I cannot conceive how it could be averted by our undertaking the defence of the extended frontier of Asiatic Turkey. My Lords, I have troubled your Lordships much too long. I feel more deeply upon this subject than I have felt upon any which has engaged the public attention in the course of my political life, and I cannot help thinking that this country has been embarked upon a policy more rash, more dangerous, less well considered and more likely to lead to disaster than any I remember in our past history. I know that at the present time there is a general shaking of hands, and a kind of all-round congratulation with regard to the so-called triumph of the noble Earl. But, my Lords, I conscientiously believe that the time will come, and indeed is not far distant, when these events will be viewed in a very different light, and when it will be seen that our foreign policy during this period has been the least creditable of any that has been pursued for years; that the Treaty which has been concluded is the virtual destruction of Turkey in Europe, and that the English Government, in its endeavours to restore the balance of power, have brought us into entanglements the result of which we cannot contemplate without uneasiness, and which will ultimately lead us in difficulties and burdens which the nation is not prepared to bear.

LORD NAPIER AND ETTRICK: My Lords, I have no desire whatever to enter into the general question of the bearing of the Treaty of Berlin and the Convention with Turkey upon Europe; but I do desire to offer a few remarks upon some of the matters which have fallen from the noble Earl who spoke last (the Earl of Kimberley), and from my noble Friend the late Governor General of India (Lord Lawrence), upon the restitution of Turkish territory in Asia which has been given back to that Power in return for a guarantee for the future good government of its provinces. In the first place, my Lords, I do not share the apprehensions which have been expressed that little or nothing will be done for the protection of the Christian subjects of the Porte in Asiatic Turkey, nor with respect to the amount of responsibility which this country has thereby incurred. In my opinion, we have, in reality, undertaken no responsibility by this Treaty which it was not incumbent upon us to take before by the Treaty of 1856. It has been consistently contended that although the guarantee for the liberty and welfare of the Christian subjects of the Porte was not expressed with sufficient distinctness in the Treaty of 1856, yet that there was such a guarantee implied in the terms of that Treaty, and that our Government was bound by it to insist upon steps being taken to secure their welfare and protection. It was not only open to us, but it was positively incumbent upon us, to see that the obligations of the Porte were performed in that respect. I admit that when I argue that it is still possible to procure some effective protection in favour of the Christian subjects of the Porte, I am probably arguing against the conviction to which many have been led as the result of the experience of the last 20 years; yet I do contend that that experience is not altogether conclusive against my argument, and when the noble Earl who spoke last contends that no effectual efforts can be made in favour of the Christians in that part of the world, his statement is in direct contradiction to that which recently fell from the noble Duke (the Duke of Argyll), whose absence, and the cause of it, we all deplore. That noble Duke is a statesman who entertains the sincerest and most philanthropic views with respect to the welfare of the Christian subjects of the Porte, and no man in the world is more capable of expressing those sentiments with greater force than the noble Duke. My Lords, I heard the noble Duke myself state that the question of the protection of the Christian races of Turkey had been allowed to go to sleep for several years after the Crimean War. I do not think that this expression was altogether accurate. I think that he ought rather to have said that Her Majesty's Government had gone to sleep; I do not mean to say that they did so entirely; I do not mean to say that their Representatives at the Ottoman Court did not avail themselves as opportunity afforded to make some effective representation; and in reference to the Lebanon and some other places, those representations produced a good effect. I have myself had an opportunity of witnessing the good results attending the representations of Mr. Layard, and I do affirm that during the four years that I had an opportunity of becoming intimately acquainted with the conduct of our Representative at the Porte, a great deal was done for the Christian population of Turkey, especially under the administration of Lord Stratford de Redcliffe, than whom no one was more earnest in his endeavours to promote the welfare of Christians in Turkey, and no doubt considerable ameliorations took place. But, unfortunately, with the single exception of our Ambassador (Lord Stratford de Redcliffe), whether supported by Lord Palmerston or the Earl of Aberdeen, there was no kind of concert among the other Diplomatic Agents on the subject, and no one was really actuated by the same earnestness and enthusiasm. I cannot doubt that if the representations which were being constantly made had been well backed up by other Powers, very great changes in the affairs of Turkey might have been effected. The indifference with which England and other countries regarded these questions cannot be better exemplified than by the fact that neither in the Treaty of 1856, nor in the amended Treaty of 1871, was there any allusion to Turkish misgovernment and the treatment of the Christian subjects of the Porte. Now, my Lords, with these facts before my eyes, I am bound to say that I do not despair that the representations of Her Majesty's Government will effect a great improvement in the conduct of Turkey. My Lords, I think that the mere fact that the English Government now stands aloof from the other Powers, and is not obliged to concert measures with them, is a feature indicative of future success. Now, with reference to the Guarantee which Her Majesty's Government has given as to the integrity of the Asiatic Provinces of Turkey, I am bound to state that I think that the dangers and difficulties attached to that Guarantee have been greatly exaggerated. I have some small experience of the policy of Russia, and there is nothing more clear than that when she understands what are the real intentions and the final and definite resolutions of England, when she knows that the English people are in earnest in giving effect to those decisions, she will conduct herself accordingly, and I think the mere existence of the English Guarantee will be a positive and complete defence of the Turkish territory in Asia, and I do not think that it is at all probable that the Guarantee will ever be called into effect. The noble Lords who have just addressed your Lordships have exercised their ingenuity in reckoning up the difficulties that will take place; but, in my opinion, those difficulties will never arise. For my own part, I will state to your Lordships the extreme satisfaction with which I have heard the general admissions made by the noble Earl with respect to the employment of the Indian troops, and I think that if any one thing more than another will tend to strengthen and consolidate the loyalty of the Indian people, it is the confidence which has been manifested in them upon the present occasion. The policy of the Government in this respect has been both wise and courageous. With respect to the employment of the Indian troops generally, and the formation of what may be termed the new Indian Army, it is a policy which was inaugurated by the late Lord Mayo, and has been successfully carried out. The only point upon which I think there is the least doubt is with regard to the question of Cyprus. I own that when I first heard the intention of the Government in that respect, I entertained considerable misgivings, especially with respect to the susceptibility of France and Italy; but, although that policy may be questioned in some quarters, I still think that there are at least three mitigating circumstances—the first of which is that it will certainly give a military importance to the possession of the place, because it seems to me to be a place where a military force might be prepared on a large scale, especially with reference to cavalry, and upon any eventuality arising, which would necessitate such a step that forces could be easily transported to Asia. In point of fact, the acquisition of the Island of Cyprus, in reference to the defence of Asia Minor, is a step which has long been advocated by high military authorities; and, therefore, there can be no doubt that considerable military importance attaches to it. At all events, the occupation of the island by this country is an indication that we intend to act; and although every one of the Powers seems to have repudiated the Treaty of 1856, I think the acquisition of Cyprus is a pledge that no such repudiation will take place in future. The third mitigating circumstance is that the island itself is a very rich and fertile one; and there is no doubt whatever that its population will be greatly benefited by the fact of its being occupied by this country. On those grounds, therefore, I derive consolation for any inconvenience that may arise in consequence of the acquisition of Cyprus; and, on the whole, I agree with the policy of Her Majesty's Government, and, with certain reservations, I offer my humble congratulations to the Ministry.

Correspondence and Protocol ordered to lie on the Table. [*Turkey*, No. 39 (1878).]

House adjourned at half past Eleven o'clock, till To-morrow, half past Ten o'clock.

HOUSE OF COMMONS,

Thursday, 18*th July*, 1878.

MINUTES.] — Select Committee — *Report* — Poor Law Guardians, &c. [No. 297].

Public Bills—*Resolution* [July 17] *reported*—Contagious Diseases (Animals) [Salaries, Compensations, &c.] *.

Committee—Contagious Diseases (Animals) [204] —r.p.; Valuation of Lands (Scotland) Amendment (*re-comm.*) [205]—r.p. *

Committee — *Report* — Metropolitan Board of Works (Money) [251]; Turnpike Acts Continuance, &c. * [245].

Third Reading—Police Expenses Act Continuance * [256]; Corrib (Galway) River * [265], and *passed.*

QUESTIONS.

UNIVERSITY COMMISSION—THE MEDICAL PROFESSION.—QUESTION.

Dr. CAMERON asked Mr. Chancellor of the Exchequer, Whether it is a fact that during the last twelve years the Regius Professor of Medicine at Oxford has not delivered any course of lectures on medicine, and that the Clinical Professor of Medicine has not given any course of clinical instruction; and, whether the Government will lay before the House, Copies of the Evidence taken during the present year by the Oxford University Commissioners concerning the present state of the Medical Faculty of the University of Oxford, and the schemes for its amendment submitted to the Commissioners?

The CHANCELLOR of the EXCHEQUER, in reply, said, Dr. Acland held the office referred to, and he was responsible to the University alone for the duties he was called upon to discharge. The Government had nothing to say on the subject. He believed the whole of the information the hon. Gentleman desired would be found in a Return which was presented to the House some years ago. He understood, however, that the University were entirely satisfied with the manner in which Dr. Acland performed his duties; and, speaking from his own personal knowledge for a great number of years, he never knew anyone who had more thoroughly devoted himself to the public service and the service of his profession than Dr. Acland had done. With regard to the hon. Member's Question as to evidence, he was informed that the Oxford University Commissioners had not yet come to any decision as to the publication of evidence; and, pending the decision to which they might come, the Government saw no reason to interfere in the matter.

GREENWICH HOSPITAL FUNDS.

QUESTION.

Mr. P. A. TAYLOR asked the First Lord of the Admiralty, Whether it is a fact that the age-pensions paid out of the Greenwich Hospital Funds to men above the age of 55 have for many months been withheld; and, if so, whether he can state the reason for such suspension, and when it is intended to resume their payment?

Mr. W. H. SMITH: There has been no suspension in the payments of any Greenwich Hospital age-pensions which have been awarded; but no new pensions have been yet given away since the 1st of January last. It was necessary to reduce the numbers in consequence of the rapid increase which has occurred in the annual charge for these pensions — namely, from £46,509 in 1866-7, to £78,231 in 1878-9. Any vacancies which now exist in the number of 7,500 will be immediately filled up. An Order in Council has now been obtained to limit the total number of pensions to be in force at any one time to 7,500—the original number contemplated in 1865 having been 5,000—and the combined amount to be received in Greenwich and other pensions to 2*s*. 6*d*. a-day.

PRISON DISCIPLINE (IRELAND).

QUESTION.

MR. J. COWEN asked the Secretary of State for the Home Department, If he has had his attention directed to the observations of Baron Dowse at the Armagh Assizes on Saturday last, when, before sentencing a prisoner, he asked the governor of the gaol whether the new rules which require a prisoner to lie on a plank for the first month were in force in Armagh Gaol, and whether that meant that the prisoner should sleep in his clothes for a month? Upon both questions being answered in the affirmative, Baron Dowse, who declared that Judges were not mere automatons, but had their feelings like other men, said he should give a much shorter sentence, for he considered the new rule nothing more nor less than torture; and, if he has not had other complaints of the new prison rules, and if he will take them into consideration with a view to their modification?

MR. ASSHETON CROSS, in reply, said, the use of the plank was by no means new. It had been in use a great number of years. The only effect of the rule had been to make the system uniform in all prisons. He was sure there must be some mistake in the statement of the Judge, with whom he agreed that it would be torture to compel a man to sleep in his clothes for a month. Nothing of the kind occurred in England. Bedding was served out to prisoners, though they might have to sleep on planks. So far as Ireland was concerned, he asked the Chief Secretary for Ireland to make inquiries with regard to the gaol of Armagh, and he found there must be some mistake there.

MR. MITCHELL HENRY asked whether the Home Secretary would consider the suggestion that a hollow might be made in the planks?

MR. ASSHETON CROSS: Yes.

RUSSIA AND TURKEY—THE WAR INDEMNITY.—QUESTION.

MR. OTWAY asked Mr. Chancellor of the Exchequer, Whether the Government of Russia have relinquished their demand on the Ottoman Government for a sum of about forty millions sterling as indemnity, according to a stipulation in the so-called preliminary Treaty of San Stefano; and, if not, whether Her Majesty's Government have taken any steps in consequence of this demand to safeguard the interests of numerous British subjects to whom the Revenues of Turkey have been already assigned as security for money due to them?

THE CHANCELLOR OF THE EXCHEQUER: I think the best answer I can give to the hon. Gentleman is to refer him to what will be found in the Protocols when they come to be distributed. He will find in the despatch recently presented, written by my noble Friend (the Marquess of Salisbury), that he refers to this subject, and that he gives a short account of the declarations made by the Russian Plenipotentiaries and the English Plenipotentiaries on this subject; and he concludes with these observations—

> "It results from these declarations that Turkey is not internationally bound, and cannot be compelled, to pay any portion of the sum named until the claims of all creditors anterior to the war are paid in full."

The matter, however, will best be seen by examining the Protocols.

MR. OTWAY: May I ask if the stipulations of the Treaty of San Stefano are in force as between Turkey and Russia, or as modified by the Treaty of Berlin?

THE CHANCELLOR OF THE EXCHEQUER: I think the hon. Gentleman had better give Notice of the Question.

ARMY—THE ARMY AND MILITIA RESERVES.—QUESTION.

MAJOR NOLAN asked the Secretary of State for War, If it is his intention, on the disembodiment of the Army and Militia Reserves, to award to the men a sum sufficient to keep them from want until they can re-enter their old employments?

COLONEL LOYD LINDSAY, in reply, said, the Secretary of State for War was absent on duty at Wimbledon. On Monday he would make a statement as to the intentions of the Government wlth regard to the Reserves.

PRISON DISCIPLINE—PERSONAL SEARCH.—QUESTIONS.

MR. MITCHELL HENRY asked the Secretary of State for the Home Department, Whether the statement made by the Solicitor General on behalf of the Government in the debate respecting convict prison discipline on Friday night last, to the effect that the "indignities complained of were certainly not inflicted on anyone at present," was rightly understood by the House of Commons as an assurance that the unmentionable searching of the persons of prisoners, hitherto periodically practised in the male and female convict prisons, have ceased; whether this change has resulted from any orders given by the Secretary of State; and, if so, at what date those orders were given; and, if he can assure the House that such practices shall never be introduced into the county prisons, the control of which has now been assumed by the Government?

Mr. ASSHETON CROSS, in reply, said, he was sorry to have to state that experience had shown that it was sometimes necessary to carry out a strict search in order to defeat the ingenuity of unscrupulous prisoners. It was left to the Governors to see that in every possible way the proper rules as to decency were observed. He should like to mention that this was a question with regard to which evidence was being taken by the Commission now sitting. If the practice were open to objection he should be the first to step in and interfere with it.

Mr. MITCHELL HENRY said, he should make some inquiry on the subject next Session.

Mr. MITCHELL HENRY asked the Secretary of State for the Home Department, Whether he will lay upon the Table of the House any Correspondence that has passed between the county magistrates and himself in reference to their application for assistance in the discharge of their duties as visitors to the prisons, distinguishing cases in which an application has been made for clerical assistance from those in which the assistance of a lawyer or a medical man has been asked for?

Mr. ASSHETON CROSS, in reply, said, that he thought no good end would be gained by laying the Correspondence on the Table at present. He hoped that with a little experience the Justices would see more clearly what was the nature of their duties.

WATER COMPANIES (METROPOLIS)—INCREASED RATES.—QUESTION.

Colonel NORTH asked the Chancellor of the Exchequer, If his attention has been called to the enormously increased charges of the Metropolitan Water Companies under certain alleged legal rights in their Acts of Parliament consequent on the re-assessment of property; and, whether the Government contemplate any Commission of Inquiry on the subject with the view of protecting the public against such charges, and making the supply of water and not rateable value the basis of payment?

The CHANCELLOR of the EXCHEQUER: The attention of the Government has recently been directed to this matter, which is one that undoubtedly requires consideration. I do not know whether it will be worth while going to the expense of appointing a Commission of Inquiry; but, as I said, it undoubtedly demands inquiry of some sort.

ARKLOW HARBOUR (IRELAND).

QUESTION.

Mr. PARNELL asked the Secretary to the Treasury, Whether his attention has been called to the paragraphs in the Report of the Inspectors of Irish Fisheries on the Sea and Inland Fisheries of Ireland for 1877, referring to Arklow Harbour, especially to the recommendation therein—

> "That another year may not be allowed to pass without some determined efforts being made to render it safe and easy of access;"

and, whether the Government will take steps, before the season of the year becomes too advanced, to prevent the loss of property and life that has hitherto occurred in rough weather owing to the unsafe character of the harbour?

Sir HENRY SELWIN-IBBETSON: My attention has been called to the subject, and I am fully alive to the importance of improving the harbour; but I would remind the hon. Member that the execution of improvement works would have been undertaken two years ago if the offer of the Government had been accepted. That offer—which they are prepared to renew—was to contribute one-half the expense by a public grant, and to advance, by way of loan, the remainder, on condition that repayment was guaranteed by the Lord of the

Manor, the Wicklow Copper Mining Company, and the town of Wicklow. The Mining Company raised objections, and declined to accede to the terms, and the consequence has been that the Treasury have never been able to proceed with the Bill necessary for the purpose. The Mining Company are now taking the matter up themselves, and are in negotiation with the Public Works Loan Commissioners (England) for a loan of £12,000 or £13,000 under the Harbours and Passing Tolls Act; and if the Commissioners feel justified in granting a loan, though it is improbable that the harbour will be improved to the same extent as if the works had been carried out according to the original scheme, yet it is hoped that some measure of improvement may be effected.

NAVY—NAVAL ARTILLERY VOLUNTEERS.—QUESTION.

CAPTAIN PIM asked, Whether an application for permission to form a Corps of Royal Naval Artillery Volunteers in the port of Lancaster has been declined by the Government; and, whether there be any objection to place the Correspondence that has passed between the applicants and the Admiralty on this subject upon the Table of the House?

MR. W. H. SMITH: The Admiralty have declined an application for permission to form a corps of Royal Naval Artillery Volunteers at Lancaster. There is no objection to lay upon the Table of the House the application in question with the Admiralty reply, which is addressed to the Admiral Superintendent of Naval Reserves. Other letters of the Correspondence, which are of a confidential character, cannot be produced.

NAVY—THE ACCOUNTANT GENERAL OF THE NAVY.—QUESTION.

CAPTAIN PIM asked the First Lord of the Admiralty, Whether the allowance as Auditor of Prize Accounts of £100 a-year to the Accountant General of the Navy is or is not included in the salary of Mr. R. G. C. Hamilton, the newly appointed Accountant General; what amount of prize money has been distributed within the official service of the last Accountant General, or whether the auditorship of prize accounts has become a sinecure; and, whether it is intended to abolish such office?

MR. W. H. SMITH, in reply, said, that the late Accountant General had received the allowance of £100 per annum as examiner of prize accounts and not as auditor, the accounts having been audited by the Controller and Auditor General since the retirement of Sir Richard Bromley in 1865. The allowance was not continued to the present Accountant General. The amount of prize-money distributed during Mr. Walker's tenure of office as Accountant General (financial years 1872-3 to 1877-8) was £84,632.

INTERMEDIATE EDUCATION (IRELAND) BILL.—QUESTION.

MR. CHARLES LEWIS asked Mr. Chancellor of the Exchequer, On what day he proposes to ask the House to go into Committee on the Intermediate Education (Ireland) Bill; and, if he will state at what (if any) stage of the Bill he will communicate to the House the names of the members of the proposed Board?

THE CHANCELLOR OF THE EXCHEQUER: It is a little uncertain, depending upon other Business; but probably we shall go into Committee on this Bill on Thursday next. With regard to the names of the members of the proposed Board, I hope to communicate them before the Bill leaves this House.

THE JUDICIAL BODY (SCOTLAND).

QUESTION.

SIR GEORGE CAMPBELL asked the Secretary of State for the Home Department, If he has noticed in the Scotch papers that one of the Judges, Lord Craighill, has by announcement in open court declined to proceed, because the Government have not filled up a vacant office; how he proposes to deal with the case; and whether the vacant Scotch offices, the abolition of which was under consideration, but respecting which no legislation has been pressed this Session, will be filled up or will be reserved for the consideration of Parliament?

MR. ASSHETON CROSS: I am not quite certain that I understand the Question. There has been no undue delay in filling up the vacancy; but the future duties of the office have been under consideration. With regard to the last Question, I may say that the Government have had under consideration the abolition of certain Scotch offices, and although I cannot give a positive pledge, I hope to bring in a Bill on the subject next Session.

Sir GEORGE CAMPBELL: Lord Craighill has, I believe, stated that in future he will not work after half-past 1, because an office has not been filled which, in his opinion, ought to be filled.

Mr. ASSHETON CROSS: That was the office of clerk, which really had only been vacant for a very short time, and my right hon. and learned Friend the Lord Advocate has lost no time in filling up the vacancy. I do not believe that Lord Craighill will carry out his threat.

CAPTAIN HOOPER'S LIFE-SAVING APPARATUS.—QUESTION.

Mr. ANDERSON asked the President of the Board of Trade, If he will lay upon the Table any Correspondence between the Board of Trade and Captain Singleton Hooper, R.N., as to his patent rocket for saving life at sea and a proposed official trial of it?

Viscount SANDON, in reply, said, he did not think the Correspondence to which the hon. Member referred was of sufficient public interest to justify the expense which would be incurred in printing it. He might, however, inform him that Captain Hooper was informed a few days ago that arrangements would be made by the Board of Trade for another trial of his rockets as soon as practicable. If the hon. Gentleman would like to see the Correspondence, he would be happy to show it to him, if he would call at the Board of Trade.

METROPOLIS—THE ISLINGTON AND DEPTFORD CATTLE MARKETS.

QUESTION.

Sir CHARLES W. DILKE asked the honourable Alderman, the senior Member for the City of London, in reference to Clause 9, sub-section (1), of the Contagious Diseases (Animals) Bill, What are the sums received for tolls, charges, and rents respectively, at the Islington Cattle Market and at the Foreign Cattle Market, Deptford, respectively?

Mr. Alderman COTTON, in reply, said, that an hon. Member had given Notice of his intention to move for a Return relating to the subject, and he had no doubt the details would be readily given.

ARMY—DEPARTMENT OF CONTRACTS.

QUESTION.

General Sir GEORGE BALFOUR asked the Surveyor General of the Ordnance, To state whether any corrupt practices have been recently discovered in connection with the department of contracts under the Director of Contracts, or in any other branch of the War Office; and, if so, whether punishments of a suitable kind have been inflicted on the guilty parties?

Lord EUSTACE CECIL: No, Sir; but if any such practices were discovered, I have no hesitation in saying that the offenders would receive severe punishment.

PAROCHIAL CHARITIES (METROPOLIS) A ROYAL COMMISSION.—QUESTION.

Mr. FAWCETT asked the Secretary of State for the Home Department, Whether, as the Bill which he stated would be introduced either on Friday or Monday last for the appointment of a Commission to inquire into the Parochial Charities of the City of London has not been brought forward, he will inform the House what course the Government now propose to take?

Mr. ASSHETON CROSS: After consideration, the Government have come to the conclusion that it would be better not to introduce a Bill upon the subject, but to appoint a Royal Commission in the ordinary way, and that will be done, probably, in the course of next week.

THE EASTERN QUESTION—THE MEDITERRANEAN FLEET—DETENTION OF BRITISH SEAMEN.—QUESTION.

Lord ROBERT MONTAGU: I hope the First Lord of the Admiralty will be able to give a denial to two telegrams in *The Times* this morning which I think ought not to go forth without denial if they are true—[*Laughter*]—I meant to say untrue. I allude to a telegram which states that a man-of-war's boat's crew, commanded by a lieutenant, were taken prisoners near Gallipoli by the Russians, and that another boat's crew being sent from a man-of-war to bring them back, were fired upon, and that two of the shots went through the boat. What I desire is to ask the First Lord of the Admiralty, Whether he can contradict that statement?

MR. W. H. SMITH: The noble Lord has asked me to contradict a statement if true; but I am sure he does not really wish me to do so. There does appear to be some foundation for the statement in *The Times*, but the information at present received is very inadequate. Shortly before I came down to the House I received a telegram from Admiral Commerel to the following effect:—

> "Steamboat was looking for two officers of *Swiftsure* who were missing in her skiff; they had landed, and were being detained by Russians, but have since returned on board."

The *Swiftsure's* boat was fired into, I believe; but we have no information what the circumstances were. Admiral Hornby has telegraphed to the Admiralty that he is inquiring into the matter, and will make a Report. Until we have such a Report it would be most unadvisable to make any definite statement on the subject.

THE EASTERN QUESTION—THE CONGRESS OF BERLIN.—QUESTION.

SIR WILFRID LAWSON: I beg to ask Mr. Chancellor of the Exchequer, Whether it is the intention of Her Majesty's Government to make any statement in this House similar to the statement which we are informed is to be made in "another place" concerning the labours of the Congress; and, if so, when?

THE CHANCELLOR OF THE EXCHEQUER: I have no intention at the present moment to make any statement on the subject. If the hon. Baronet will repeat his Question to-morrow, I may be able to give an answer to it.

ORDERS OF THE DAY.

—o—

CONTAGIOUS DISEASES (ANIMALS) [SALARIES, COMPENSATIONS, &c.]

Resolution [July 17] *reported* and *agreed to*.

CONTAGIOUS DISEASES (ANIMALS) BILL—[*Lords*]—[BILL 204.]

(*Sir Henry Selwin-Ibbetson.*)

COMMITTEE. [*Progress 17th July.*]

Bill *considered* in Committee.

(In the Committee.)

Cattle Plague.

Clause 10 (Declaration of infected place in cattle plague by inspector).

MR. CHAMBERLAIN said, the Amendment he had to propose on this clause—namely, in page 5, line 15, to leave out from "unless" to "expedient"—was not a very great one; but, at the same time, it was of considerable importance. He did not think it would lead to any lengthy discussion, because it seemed to him that the Secretary to the Treasury would be able readily to accept it. In fact, he should have thought that the omission of it was only a slip on the part of those who had drawn up this Bill. As the clause now stood, discretion was given to the Inspector who inspected the place infected with cattle plague to give similar notices to occupants of lands or buildings, any one of which lay within one mile of the place infected. For the past three or four days they had been engaged in a discussion as to whether it was safe to admit any discretion on the part of the Privy Council. Whether they were right or not, it was clear that the agricultural interest could not trust the Privy Council. Still less could they trust ordinary Inspectors. A good deal of evidence was given before the Committee as to the status and qualifications of these Inspectors. In the last Report of the Medical Department it was shown that one of these Inspectors in Essex was only in the receipt of 17*s*. per week, and that the greater part of this munificent salary was expended in trap-hire and expenses. Parliament had no right to expect from these men the superior qualifications which would entitle them to be intrusted with the discretion involved in the clause before the Committee. Further, he would say that no such discretion was needed. In any case, the district round about the place infected with cattle plague ought to be declared infected. He found in 1862, when cattle plague broke out in Yorkshire, the Veterinary Department gave evidence that a proper district was established, and that the movement of cattle had been ordered to be stopped immediately, yet the actual existence of the disease continued for three months. When, recently, the cattle plague broke out at Willesden, the local authorities immediately took every precaution which it was proposed in this clause to take; and in foreign countries, where, one would imagine, from the fears of Members who represented agricultural interests, the precautions were less than were necessary, it was the rule to make the districts larger than were proposed in this clause. In Prussia, whenever a district was infected, an infected area was declared of 13 miles. He thought a radius of one mile was the least that was consistent with safety. In all cases it ought to be imperative on the local Inspector to declare, not only the place actually infected, but that the district for one mile around was infected. It might be said that there were exceptional cases in which such a declaration would involve injustice. As to that, he might point out that, in the same clause, provision was made that the Inspector should report his proceedings immediately to the Privy Council, who should forthwith inquire into the correctness of the Inspector's declaration. If the Privy Council thought the declaration had been improperly made, they had the power to relieve the district from the force of this clause. Under those circumstances, there could be no harm in removing the discretion he proposed in his Amendment, and he trusted the Secretary to the Treasury would be able to accept it.

Sir HENRY SELWIN-IBBETSON said, he would like to call the attention of the Committee to the reason why he should be unable to accept the proposal of the hon. Member for Birmingham. He would point out that the omission of the words proposed to be left out would make it imperative on Inspectors to serve a notice on every individual who happened to reside within the radius of a mile from the place the Inspector proposed to declare infected. He would ask the hon. Member what would be the effect if that took place in the centre of London? If cattle plague broke out in the crowded parts of the Metropolis, the obligation would rest on the Inspector of serving notices on all persons in the radius of a mile from the spot. It was quite impossible that he could get through his work in time to effect any practical purpose. So long as they left discretion to the Inspector, with power to censure him if he failed, they did all they had to do, and all they were aiming at by this clause. In such a case as the outbreak of cattle plague, he would take care that due notices were served; and although he might have power in rural districts, where there were few inhabitants, to serve notices on the adjoining district, it would never do to make it compulsory on the Inspector to serve notices throughout such a radius as this. He trusted the Committee would see that in leaving the discretion where it was, they had the same control over the Inspector as a subsequent clause would give, and they would be doing all they were aiming at with regard to publicity within the infected radius.

Mr. WHITWELL held that the moment the real cattle plague or rinderpest was in existence in any locality it ought to be declared at once an infected district. He did not see that it was necessary in such a case as that, that every inhabitant should have notice; but there should be public notice posted up, as rapidly as possible, throughout the district, declaring that the place was an infected place. On a former occasion the local authority had power to declare that no cattle should come out of an infected district. Therefore, the hon. Member was only asking for reasonable security that whenever a district, whether of a mile or less, should be declared infected, the same consequences should follow as if notices had been served.

Sir WALTER B. BARTTELOT did not want this discussion to go further. He thought there was a great deal in what was said by the hon. Member for Birmingham. In cases of cattle plague, he thought no option should be left to the Inspector; but that he should be bound to give notice to the Privy Council, who might at once deal with the district if necessary.

Mr. J. W. BARCLAY thought there was absolute necessity for the Amendment of the hon. Member for Birmingham (Mr. Chamberlain). He thought, also, there should be further alteration of the clause. What was really wanted in these districts was that all movement of cattle should be stopped. And that purpose would be effectively achieved by serving these notices on all the parties connected with cattle within a radius of one mile. When first these regulations were made, all movements of cattle were stopped within a radius of one mile; and in order to make the regulations effective and sure, care was taken to place a policeman continually on the spot. He should propose that the clause, as amended, should read—

> "The Inspector shall serve notice on the owners or persons in charge of animals within one mile of the infected place."

This would get over the difficulty in crowded places, such as the Metropolis, and in the larger boroughs. The Committee ought, in the first place, to accept the Amendment proposed by the hon. Member, and then to further amend the clause by causing notice to be served on the owners or persons in charge.

SIR HENRY SELWIN-IBBETSON said, he ought to point out to the Committee that they had all the security they wanted. In the first place, they had the Inspectors of the Privy Council dealing with the disease, and then they had the local authority in counties. Suppose a case of cattle plague broke out either in the Metropolis or in a rural district, and it came to the knowledge of the Inspector. The Inspector could at once exercise his discretion as to whether it was cattle plague or not, and could serve notices as required on people near the place, and could do many of the things which were deemed necessary by the Privy Council to protect the district. On the other hand, if they altered the clause, what would be the effect? The Inspector would go to a place and would, in his judgment, think the disease had broken out, and then he would be occupied in serving notices on every owner of cattle, even if the suggestion of the hon. Member who last submitted an Amendment was adopted. But if the suggestion of the hon. Member for Birmingham were adopted, the Inspector would have to prepare and serve an enormous number of those notices upon all the inhabitants of the district, and all that time his communications with reference to the disease, his dealing with it, or any action he might take with regard to it, would be rendered subservient to the necessity of his serving those particular notices. Now, he thought that the Committee would see that as soon as the authority under the Bill came into action, it would be sufficient to enforce the delivering of any notices that might be required. The preliminary notices would have to be served by the Inspector, and any proceedings to follow upon that would be directed by the Privy Council, should they confirm the account of the disease. Nothing could be greater than the responsibility of the local authority, and of the Inspectors, in case of an outbreak of disease under that particular clause of the Bill; and he ventured to think that the alteration, as suggested, would impede rather than tend to secure the proper working of the clause.

MR. SYNAN could not help thinking that the task imposed upon the Inspector by the Amendment would be not only impracticable, but impossible. Let them take a radius of a mile in the City of London. Every inhabitant in that radius would have to be served with a notice by the Inspector, which would take several days—in fact, a whole week. The Inspector was an ordinary man, and the task would be impossible. There ought to be confidence in the Inspectors. An hon. Member had urged that the Inspectors were not sufficiently paid, and, therefore, their duties were neglected; but the remedy for that was to pay them sufficiently, and to make the place worthy of competent men, so as to have competent men to fill it. In those cases where it was necessary to serve the notices he would serve them; but to serve them where they were unnecessary and impracticable would be to impede the action of the Bill, and, instead of stamping out disease, would produce the contrary effect.

MR. CLARE READ said, that the Committee must bear in mind that the duties would have to be performed by the Privy Council, and he did not think that they ought to depart from the Bill as it stood. On the other hand, he sympathized with the hon. Member for Birmingham (Mr. Chamberlain); because, whenever cattle plague broke out, he thought that notices ought to be given over a district to the extent of a mile radius. But, at the same time, he considered it very ridiculous that the occupiers of all buildings within a mile, who, perhaps, only kept a dog or a cat, should be informed of the outbreak of the cattle disease. He certainly thought that all the owners of cattle ought to be informed of such outbreak even in a town, and it was in all probability that the outbreak would take place in a town. Of late years all the outbreaks of cattle plague had taken place in cowsheds in seaport towns.

Mr. PEASE thought the Committee would agree with the Secretary to the Treasury that if the Amendment was carried, it would have an undesirable effect. Supposing that in Birmingham, or London, the cattle plague broke out, and the Inspector had to go forth and give these notices, he would be able to do nothing else. He actually would be taking the responsibility from those who ought to be looking after the disease—namely, the local authority or the Privy Council.

Mr. RODWELL invited the attention of the hon. Member for Birmingham, with whom he concurred as to his views, to Clauses 11, 12, and 13 of the Bill, and would ask him whether the object he had in view was not met by those clauses? The Privy Council were responsible for carrying out those regulations; and he would ask the hon. Member whether the whole purpose of the Amendment was not answered by leaving the Privy Council to say what distance—in many cases it might be far more than a mile—should be covered by the Inspector?

Mr. MUNDELLA thought that the answer of the Secretary to the Treasury was sufficient as to the impracticability of the Inspector's giving notice in the case of the Metropolis, or any large town within the radius of a mile. But, at the same time, he thought that the suggestion of the hon. Member for Forfarshire (Mr. J. W. Barclay) was worthy of the attention of the Committee. They knew, from the evidence they had had before the Committee, how insidious the operation of the disease was, and how rapid was its progress. Before the Inspector could move the local authority or the Privy Council, the mischief might be done. Now, it seemed to him that the owners of cattle ought to be immediately warned, and that then the local authority and the Privy Council might be informed.

Mr. NEWDEGATE wished to know from the Secretary to the Treasury, whether there was any provision in the Bill, or whether it had been the practice of the Privy Council under any existing Act, to post some public notice upon some conspicuous place in the immediate locality giving information as to the outbreak of disease?

Sir CHARLES W. DILKE said, that, of course, the Amendment of the hon. Member for Birmingham would not meet the case of large towns; but he could not agree with the hon. Member for South Durham (Mr. Pease) in the opinion that the Amendment of the hon. Member for Forfarshire (Mr. J. W. Barclay) was open to the same objections. He thought it would be quite possible for an Inspector to give notice to all persons within a mile who had cattle in their possession.

Mr. MUNTZ quite agreed with the difficulties pointed out by the Secretary to the Treasury. But, at the same time, the matter was so important, and it was so essential that there should be no delay, that it appeared to him to be a question whether the Amendment of the hon. Member for Forfarshire might not be accepted. The facility with which disease was spread was so great that during the couple of hours which would be occupied in giving notice to the local authority, it might travel a distance of half-a-mile.

Sir ANDREW LUSK thought that much ought not to be left to the Inspector. He had known instances where an Inspector was unable to tell whether a case was cattle plague or not, and had to obtain an Inspector from the Privy Council, with whom he had a consultation before he could decide as to the nature of the disease.

Sir HENRY SELWIN-IBBETSON said, he wished to point out that he could have no object, and that the Government could have no other object in view, than the object advocated by the hon. Member for Birmingham (Mr. Chamberlain), and that was the best possible method of preventing the introduction of disease. But what he had before suggested to the Committee was what he still thought—namely, that that clause in the Bill gave them the very best security against disease. If they frittered away time by forcing the Inspector to serve a mass of notices, they would practically take up all the time of the Inspectors, which ought to be devoted to looking after disease. The Inspector would, of course, serve notices upon persons whose cattle were attacked; and he would, in his discretion, if he knew that there were cattle in the immediate neighbourhood, serve notices on those people, and he would also send information to the Privy Council. But he would remain on the spot to watch the disease, and to prevent that contact with other cattle of which hon. Members were so afraid. He must say, looking to the interests of the country and the proper working of that measure, that he believed they would get a far greater amount of security against the spread of disease by leaving the clause as it stood, than by frittering away the time of the Inspector in serving those notices.

MR. W. E. FORSTER said, that the sub-section made all lands and buildings within a mile of the place where the outbreak was to be deemed infected places. To demand that every land and building was to be declared infected he thought was very hard indeed. It was quite true that the decision of the Inspector was not binding; but, still, he was to do the best he could before somebody came down from the Privy Council to overrule him.

MR. NEWDEGATE again asked whether there was any power under the existing Act, or whether it had been the practice of the Privy Council, or the local authority, or the Inspectors, as a matter of duty, to post a notice of the existence of cattle plague in some public and conspicuous place in the immediate vicinity, or at the precise spot, of the outbreak? It had come within his knowledge that after an Inspector had been aware, or, at all events, had had very shrewd suspicions, that there was disease in the neighbourhood, no notice had been given to the public, and cattle had been allowed to be brought into immediate contiguity with the danger without having any warning of the risk to which they were exposing their cattle.

SIR HENRY SELWIN-IBBETSON apologized to the hon. Member for North Warwickshire (Mr. Newdegate) for having forgotten to notice his question. He thought he might answer it in the affirmative, and say that where the Privy Council had been intrusted—a trust which up to the present time had been a limited one—with this power, they had given public notice on the spot where any disease existed. He would remind the hon. Member that at present the local authorities had had the direction of those matters; and, speaking for a number of local authorities, he should not like to say that that practice had not been generally followed.

MR. CHAMBERLAIN said, that the objections which had been taken by the Secretary to the Treasury to his Amendment, with regard to the difficulty it would raise in serving notices in populous places, were fatal to the Amendment as it stood; and he, therefore, would propose to withdraw it in favour of that proposed by the hon. Member for Forfarshire (Mr. J. W. Barclay). But he could not agree with the hon. Baronet that the proposal made in the Bill was either satisfactory or sufficient; and he thought that the hon. Baronet's opinion was contradicted by that of the officers of the Department, and gentlemen whose evidence on the question had been before the House of Lords and before the Select Committee. The opinion of Professor Simonds and Professor Brown was that the establishment of districts in all cases of cattle disease was absolutely essential to the stamping out of disease; and they suggested that similar districts should be established in the case of pleuro-pneumonia and foot-and-mouth disease. And as to the general public, what was the object of the whole of this legislation? It had been suggested to Parliament by the feeling outside that the flexibility of the rules previously in force were fatal to the health of cattle districts; and it was that flexibility which the hon. Baronet proposed to continue. He would, therefore, be content to adopt the proposal of the hon. Member for Forfarshire.

Amendment, by leave, *withdrawn.*

MR. NEWDEGATE agreed with the hon. Member for Birmingham that something should be done; and he would ask the Secretary to the Treasury whether he could not insert in the Bill some directions for the giving of these public notices?

MR. J. W. BARCLAY proposed to amend the clause, by moving to leave out the words—

"Unless under the circumstances this appears to him not to be expedient," and to put in—

> "The Inspector shall serve a notice signed by him upon all owners or persons in charge of any animals which in his judgment are."

He would remind the Committee that one of the great objects of the Bill was to take away discretion from individuals, and to make the rules with regard to disease as stringent as they were possible to be. Now, he thought that some hon. Members who had addressed the Committee did not quite understand what would follow upon the declaration of an Inspector. The hon. Member for South Durham (Mr. Pease) thought it was to be some appeal to the local authorities of the district. He (Mr. J. W. Barclay) did not see that there was any such appeal. But that would not help matters very much, because it would require some considerable space of time to call the local authority together. What he trusted would occur was that the Inspector, when he had reason to believe in the existence of disease, should at once serve notices, or cause notices to be served, of the fact. According to the theory of the Bill, the Inspector was going to report to the Privy Council. But even if he did so by telegraph, the Privy Council Inspector could hardly come down before the space of two days, especially if the case was in Yorkshire, or Scotland. They must also recollect the sort of people with whom they had a to deal under the Bill. He had had good deal to do with these Inspectors, and out of 100 of them he had only found four or five were men whom he could depend upon to comprehend and act upon even the most explicit instructions before they had had some experience. He thought that if they were to take effective steps towards the extinction of disease, it was absolutely necessary that more stringent rules should be laid down as to what the Inspectors were to do in cases of disease breaking out.

Amendment proposed,

> In page 5, line 14, to leave out after the word "him," to the word "judgment," in line 17, inclusive, in order to insert the words "on the owners or persons in charge of any animals which in his judgment are."—(*Mr. James Barclay.*)

Question proposed, "That the words proposed to be left out stand part of the Clause."

Mr. Newdegate

Mr. PEASE pointed out that the words proposed by his hon. Friend were not enough to carry out what his hon. Friend wanted; and wherever lands or buildings received these notices, they would become infected with cattle plague. Under this Amendment the places where notices ought to be served would be omitted, and places where no notices were required would receive them.

Sir HENRY SELWIN-IBBETSON could not accept the Amendment, which appeared to him to be quite unnecessary. He was convinced that the clause, as it stood, gave the greatest possible security. On Report he was quite prepared to introduce words to make a public notice necessary; but beyond that they would only be weakening the powers of the Privy Council.

Mr. CHAPLIN hoped the hon. Member would withdraw his Amendment. When he saw the Secretary to the Treasury and the right hon. Member for Bradford (Mr. W. E. Forster) agreeing on the same point, he considered the Committee would do well to leave the matter as it was.

Mr. J. W. BARCLAY could not consent to withdraw his Amendment. His object was to prevent the moving of cattle out of this area until it was declared by the Privy Council whether there was cattle plague there or not. That would, at the outside, only extend over two or three days, and such a restriction was better than the risk of spreading the disease by allowing the cattle to be moved. They must indicate the duties of the Inspectors distinctly.

Mr. MUNDELLA was a little surprised that hon. Gentlemen opposite should be content with the Bill while, in many instances, it was lax. There was no difficulty about these notices. An Inspector could give notice to all within a mile in an hour. That was a precaution which appeared to him to be very necessary. This disease was easily spread. It could be spread by fodder, litter, and in many ways—clothes would carry it; but, if notice was given promptly, persons would avoid the affected spot. There was no difficulty about it that he could see, and the Amendment, he believed, was a good one.

Mr. M'LAGAN expressed his intention of voting for the Amendment; for, in cases of the disease breaking out, they could not have too prompt action.

Question put.

The Committee *divided*:—Ayes 167; Noes 68: Majority 99.—(Div. List, No. 223.)

Clause *agreed to.*

Clause 11 (Declaration of infected place in cattle plague by Privy Council) *agreed to.*

Clause 12 (Declaration of infected district in cattle plague) *agreed to.*

Clause 13 (Alteration of infected place or district in cattle plague) *agreed to.*

Clause 14 (Declaration of freedom from cattle plague) *agreed to.*

Clause 15 (Slaughter by Privy Council in cattle plague and compensation out of public money).

SIR HENRY SELWIN-IBBETSON moved, in page 6, line 19, after "plague," to insert "or being in a place affected with cattle plague." That was to cover what might, by some hon. Members, be supposed to be a slight omission.

Amendment *agreed to.*

SIR HENRY SELWIN-IBBETSON moved, in page 6, after line 24, to insert the words—

> "(3.) The Privy Council shall, for animals slaughtered under this section, pay compensation as follows, out of money provided by Parliament:—(*a.*) Where the animal slaughtered was affected with cattle plague, the compensation shall be one-half of its value immediately before it became so affected, but so that the compensation do not in any such case exceed twenty pounds; (*b.*) In every other case the compensation shall be the value of the animal immediately before it was slaughtered, but so that the compensation do not in any case exceed forty pounds."

MR. CHAMBERLAIN said, he had two Amendments to this clause, which ought to be taken together. The first one was, in page 6, line 24, to leave out the words "Privy Council," and insert "local authority;" and the second Amendment was, in page 6, lines 25 and 26, to leave out the words "out of money provided by Parliament," and insert—

> "to be defrayed out of a special rate, to be assessed and levied in the nature of a capitation or poll-tax, according to the number of cattle possessed by any person within the county at the time of the slaughter."

There was a great feeling prevalent among certain classes of people that this Bill was class legislation, and that it was simply intended to compensate the farmer for trade losses. He thought it most desirable, for the agriculturists and other classes, that this matter should be thrashed out, and that it should be shown that nothing of the nature of exceptionable legislation was contemplated. The two questions raised by his Amendment were these—whether, in the first place, any compensation could be claimed in the case of loss by disease? and, secondly, where the money should come from, and what the amount of it should be? He did not see how claims for compensation could be sustained. Farmers were not entitled to compensation, even under the provisions of the Bill, except in cases of cattle disease. A farmer might lose his ricks by fire without any fault of his own, or his standing crops in consequence of a heavy storm; but in neither of those cases was any claim ever attempted to be set up for compensation from the Government. Take the more analogous case of the recent disease amongst the horses of the General Omnibus Company. When that occurred, it was not pretended that the community at large had anything to do with the matter, or were to be saddled with the cost of compensation. In no other case was any claim for compensation set up or recognized by Parliament. In all the cases he had mentioned it was left to mutual insurance. The farmers were not entitled to exceptional advantages for matters which were of the nature of a visitation of Providence. It was said that their case was different, because the loss was inflicted and caused by the action of the Government with regard to cattle. Well, look at the Education Law. In that law the State imposed a duty on the public, who, instead of being compensated, had to bear the cost of education. A working man was compelled to withdraw his children from service to send them to school, and then he had to pay the school fees. In the case of mine owners, for the public advantage very considerable restrictions and expenditure had been put on the mine owners; but they never asked for any compensation, and probably, in the long run, the mine owners did not lose very much. The same thing applied to the farmers. Parliament had imposed obligations on individuals without compensating them; and in this case it was very doubtful whether compulsory slaughter was a fair claim for compensation. Cattle affected by the cattle plague must die, and they, therefore, were practically valueless; and as regarded the animals which were in contact with the diseased animals, they were deteriorated in value, and the farmer would make more of them by sending them to be slaughtered than by keeping them with the risk of the disease; and, therefore, no additional loss was made by the conditions imposed by the State. It was an interesting fact, in connection with that part of the question, that even under the present system, in which very considerable compensation was allowed, the value of the diseased beasts was more than the actual value of the animals at the time of slaughter. Professor Brown had said that it seemed to him no amount of compensation was sufficient to tempt a large number of men to give notice of disease, in consequence of the interference with their business which would necessarily result from their so doing. And on being asked whether he could suggest any alteration in the method of compensation so as to secure information as to disease? he replied that he should be disposed to claim full compensation in case of cattle plague, in the hope that he should induce a large number of people to report, many of whom, from their position, would not be able otherwise to bear their loss in consequence of want of capital. That answer pointed to the fact that an increase of compensation was likely to be needed to induce farmers to give notice of disease, and brought him to the point of his contention—that compensation, as such, could not be defended, and that the compensation to farmers was not an indemnity for losses sustained, but a reward for giving information necessary to check the progress of disease. If that were admitted, the question of amount would have to be settled upon quite a different consideration. If compensation were intended, they ought not to give more than the actual value of the animal at the time of slaughter; but if the money was to be given by way of reward, they would have to pay what was necessary to bring information, just as in cases where money was offered for the discovery of robbery or murder. He would be quite willing to vote whatever amount might be thought necessary to obtain the required information. That this was the right view to be taken was confirmed by what he read in the Report of the Agricultural Commission of 1866, when that question was first discussed, and where he found the Society asked that payment should be made not as compensation but as remuneration for services performed and information given. Assuming that view to be correct—and he ventured to ask that it might be so accepted by hon. Members opposite — he came to the consideration of the source from which such remuneration was to be derived. He could not see why these rewards should be paid out of the taxation of the country, and why they should not form a charge distributed over the whole of those engaged in the trade. Surely those whose property had been protected should contribute towards the payment necessary to secure that protection? He could not put out of sight the argument of Mr. John Stuart Mill, which had been used the previous day—namely, that the farmers, as a whole, were recouped for their losses in connection with disease by the increased price which they necessarily obtained for their beasts which remained, and that if the supply were reduced and the price increased, it would result that some farmers would gain by the losses of their neighbours. He (Mr. Chamberlain) was of opinion that the loss should be spread over the whole of those who profited by the misfortunes of others; and he ventured to think that his contention had been admitted by the farmers themselves. Before the Act of 1869, there existed many considerable insurance societies for the purpose of insuring cattle against cattle plague; and the hon. Member for North Warwickshire (Mr. Newdegate) had said there had existed such a society in his county, in which property to the extent of £240,000 was insured, and that the amount was rapidly increasing. He would now ask the hon. Member, if he intended to take part in the debate, what had become of that society? He was afraid that its action had been stopped by the course adopted by the Government. He would also urge that his principle of insurance was admitted by the Bill itself. He had pointed out, yesterday, that such was the case in connection with the clause by which it was proposed to exclude the City of London from the charges imposed by the Metropolitan Board of Works; and he was justified in saying that the principle contained in the clause, that compensation should be borne by local rate, was, in itself, an admission of his contention. What could be more unfair—even taking for granted that the whole community should contribute—than that the particular district in which the plague broke out should not only suffer in consequence of the plague, but should, in addition, be charged with extra rates for the suppression of the disease? He only asked that the admission which he found in the Bill—that those who suffered loss should themselves bear the burden—might be carried to its logical conclusion; and that those who did not derive any profit from the trade should be relieved from the obligation of contributing to the insurance fund. He found that a proposal similar to that which he submitted was mentioned by the late hon. Member for Salford (Mr. Cawley) in the year 1869, when he suggested that a tax of 1*s*. per head should be levied on all cattle for the purpose of supplying compensation; but an objection which, in his opinion, was conclusive, was urged against this scheme at the time—namely, that the fixed rate would break down just at the time when it was wanted, while nobody could say the precise sum that would be sufficient. He proposed that a sum should be levied in the nature of a tax for just such an amount as might, at the time, be found to be necessary. It must not be supposed that such a principle could not be applied in practice, because they were told by Professor Müller that a precisely similar law was in force for the suppression of cattle disease in Prussia. In Prussia there was a census taken of the animals in a district, and a certain tax was levied on those animals from time to time as required, in order to establish a fund out of which compensation was made. And the laws in force in that country with regard to compulsory slaughter were precisely similar to the one then under discussion. He had a very great objection to the proposal contained in the Bill—that compensation in the case of cattle plague should be paid out of the Imperial funds—and he would repeat the words of Sir George Grey, which, to his mind, were conclusive, with regard to payments from the Consolidated Fund—

> "That the principle of applying the public funds to compensate private loss was an extremely dangerous one."

He (Mr. Chamberlain) could conceive nothing more likely to lead to reckless expenditure than the use of the bottomless purse of the nation for such a purpose.

Amendment proposed to the said proposed Amendment,

> In line 3, to leave out the words "out of money provided by Parliament," in order to insert the words "to be defrayed out of a special rate, to be assessed and levied in the nature of a capitation or poll-tax, according to the number of cattle possessed by any person within the county at the time of the slaughter."—(*Mr. Chamberlain.*)

MR. CHAPLIN was bound to say that he regarded the facts adduced in illustration of the arguments to which they had just listened with feelings exactly opposite to those entertained by his hon. Friend (Mr. Chamberlain), who said that farmers were not entitled to compensation in case of the slaughter of their cattle.

MR. CHAMBERLAIN: I said I thought it would be exceedingly desirable to give them a reward for their information; but that they were not entitled to claim compensation.

MR. CHAPLIN: How did the hon. Member proceed? He said if their stacks were struck by lightning they should not be compensated. Of course they would not be compensated for that which was a visitation of Providence; but the slaughter of cattle was perpetrated by Order of the Privy Council. But suppose proprietors had lost, say, their horses, not because they had been compulsorily slaughtered, but because they had been requisitioned for military purposes, would they not have been entitled to compensation for the loss sustained? Again, in the case of ships that went to the bottom, the hon. Member pointed out that the owners were not compensated for their loss. Of course they were not; but would the hon. Member say that if a ship was requisitioned for the purpose of conveying troops, that the owners were not entitled to compensation? He was obliged to say, with all respect to him, that he had never, in the whole course of his life, ever heard of anything so preposterous. The object of the measure was to stamp out disease, and to prevent its re-introduction from abroad. It was nothing less than a national question; and he could not understand how the hon. Member could think it just that farmers should be placed in the position of having their cattle slaughtered for the national good without receiving compensation. He (Mr. Chaplin) contended that, the object of the measure being a national one, the owners of slaughtered cattle should be compensated out of the national funds.

Sir CHARLES W. DILKE drew the attention of hon. Members opposite to the circumstance that many on his side of the House were far from thinking that the Bill would be likely to give the people cheaper meat. They were watching the passage of the measure too narrowly to let that be supposed. The hon. Member for Mid-Lincolnshire (Mr. Chaplin) had spoken of cattle infected with cattle disease as if they were live cattle; but he wished to submit to him that, on the contrary, they were almost as certainly dead as if they had been slaughtered; and, therefore, that part of his argument fell to the ground.

Mr. CLARE READ contended that the Privy Council had let in the cattle plague. It was quite possible for the Privy Council not merely to stamp out, but to keep out, the disease by the adoption of sufficiently stringent measures. Foreign cattle were imported for the benefit of the public; therefore compensation ought to be paid by the State. It was said that this compensation was for the benefit of the farmers; but was it not the fact, in the case of cattle plague generally, that the cowkeepers were more interested than farmers? There had been, in the last outbreak, but one case of a *bonâ fide* farmer, and he lived in Lincolnshire, being compensated for the slaughter of his cattle. The hon. Member for Birmingham (Mr. Chamberlain) had said there was no precedent for compensation; but only a year or two ago they had passed the Destructive Insects Act, which said that crops in which the Colorado beetle was found should be destroyed, and the owner compensated out of the local rates. The cases were exactly similar. No doubt, a glandered horse could be killed without the owner receiving compensation; but nobody pretended that glanders was not indigenous, although it might have come from abroad some hundreds of years ago. What the hon. Member for Birmingham wished to do was to punish farmers and cowkeepers for having among their cattle a foreign disease for the importation of which they were in no wise responsible.

Mr. PEASE pointed out, that the question was only as to the payment of an inconsiderable sum yearly—say £13,000—from the Imperial fund, which might be further reduced. His view was that compensation was a fair compact between the town and the country, and ought to be provided out of the Imperial Exchequer.

Sir WALTER B. BARTTELOT said, he was surprised at the remarks which had fallen from the hon. Member for Birmingham (Mr. Chamberlain), when he spoke of the present measure as a piece of class legislation. He (Sir Walter B. Barttelot) thought he must have forgotten that he was in the House of Commons, and supposed himself to be addressing some other assembly. This was really an Imperial question. They had agreed, by a large majority, that the cattle trade should not be hampered in the way which the Bill at first contemplated; and they were going to let in clean cattle without discrimination to satisfy all parties in the country. It was not their intention for one moment to stop the supply of food. But the hon. Member tried to discredit the farmer in many ways. He ironically suggested that the farmers were not to be trusted to state whether they had or had not cattle plague on their farms, and that consequently they were to be offered a reward for giving information when cattle plague broke out. The farmers were not the men to hide for one moment the outbreak of so fatal a disease; and, therefore, the whole question must be looked at in its broadest view. The hon. Member, although he stated that in Prussia, under the municipal laws, payment was made by a poll tax for the cattle slaughtered for foot-and-mouth disease and pleuro-pneumonia, omitted most certainly to state that in the case of cattle plague slaughtered for cattle plague, the amount of compensation was paid out of funds provided by the Prussian Government. Pleuro-pneumonia and foot-and-mouth disease were treated differently here, and most properly—the payment being made out of the rates. If, therefore, the Government in Prussia paid the money for cases of cattle plague, that case was exactly analogous to what was to be done in this country. And then he asked again, referring to the Prussian system, why should they treat things in that exceptional way and with such class legislation? This was an utterly unworthy argument to be advanced by one who had since he had been in the House shown himself, up to the present time, so fair on all occasions. They had been prepared to make great concessions with regard to the Bill, and to place as few restrictions as possible in the way of meeting a great question of that kind. The question was an Imperial one; and he asked his hon. Friend the Secretary to the Treasury on no account to move from their resolution not to alter the clause as laid down by the Bill.

MR. ANDERSON said, that the only application of the argument concerning the Prussian system of dealing with cattle disease made use of by the hon. Member for Birmingham was for the purpose of showing that the adoption of a poll tax was not without precedent. As he understood the Bill, the Government were going to forbid the importation of cattle from all countries; and it was only by an act of mercy on the part of the Privy Council, and after the matter had been brought before Parliament, that, by some possibility, foreign cattle from some countries might be admitted. He contended that the presumption of the Government was disease, and their general rule slaughter. The argument in favour of compensation would, therefore, hardly hold good; but as soon as hon. Gentlemen opposite turned round and gave the presumption as against disease, they might count upon the support of Members on his side of the House. When the hon. Member (Mr. Clare Read) quoted the Act relating to the Colorado beetle, he argued against himself; because, in that case, compensation was awarded from the local rates, and not from the Imperial funds. He was not willing to admit that the Privy Council could by any regulations keep out cattle disease should it prevail in neighbouring parts of the Continent. As regarded compensation, he was of opinion, in the case of cattle actually diseased and which were practically dead, that there should be little or no compensation. And in the case of cattle in contiguity with those infected, he was disposed to think that compensation should come from the local rates, or, better still, from a poll tax or insurance tax.

MR. NEWDEGATE said, that the hon. Member for Birmingham (Mr. Chamberlain) passed for an advanced politician; but upon this subject he had proved that, though he had been a Member of the Committee on Cattle Plague, he was on this subject at least 13 years behind public intelligence. The hon. Member had adverted to the fact that at his (Mr. Newdegate's) instance Warwickshire was the second county which, in 1865, adopted the system of insurance. This was done not merely on the principle of obtaining compensation, but because the magistrates found that, without some such machinery, their police regulations were totally inoperative in the detection of outbreaks of cattle disease. He believed that that Society, in which he was proved to have taken a part, still existed; and for years it had, in Warwickshire, been used to supplement the action of Parliament; but public intelligence had enormously advanced since 1865. He regretted to say that the hon. Member for Birmingham did not seem to have profited by the information. In 1865 he (Mr. Newdegate) was Chairman of the Royal Veterinary College; *The Times* was engaged for six weeks in writing the veterinary profession down, because they had avowed that they could not cure the cattle plague. To such an extent did ignorance of that fact prevail that, acting with the treasurer of the college, they took upon themselves the responsibility of building a yard for cattle suffering from the plague, and invited the public to send there any specimens they chose, promising, at the same time, to see fairly applied any specifics or nostrums that could be desired. Many experiments were made. The records of the College with regard to the former outbreak of cattle plague proved that the disease was incurable, and that fact was again illustrated by the experiments of 1865. These, however, satisfied the public. It was in 1865 that, seeing the want of information which prevailed at the time, he urged his friends in Warwickshire to form the insurance association he had mentioned, and it was highly useful afterwards; because the first measures which Parliament adopted were insufficient, in respect of the compensation offered, to procure rapid and immediate information of the outbreaks of disease. The action of Parliament was in Warwickshire supplemented by using the funds of that Society. He believed that the existence of those societies went far to convince Parliament that the objects of their supporters were not merely selfish, and these were chiefly of the agricultural classes. These insurance societies were the forerunners of the legislation which existed. He trusted that the hon. Member for Birmingham would not press his Motion, for it reflected more on the conduct of Parliament than on the conduct of the agricultural body. It was somewhat surprising that the hon. Member, living in the county which was within a few hours the first to manifest its readiness to protect itself, should now come forward, after experience had proved that no local efforts could meet the difficulty, and impute to the agricultural body generally, and to his immediate neighbours, motives, which the conduct of his neighbours had, from the first, proved them to be incapable of entertaining.

Mr. CHAMBERLAIN thought it his duty immediately to reply to the very strong personal attack which had been made upon him, and which, he ventured to say, was not justified by anything he had said in the course of the debate. He was quite unable to understand what was meant by the hon. and gallant Member for West Sussex (Sir Walter B. Barttelot), and was not aware that he had said anything unworthy of his position as a Member of the House. He said that he (Mr. Chamberlain) was forgetting his position as a Member of the House, and supposed that he was addressing some other assembly. He had not spoken to any assembly outside. The hon. Member suggested that he had spoken of the Bill as a piece of class legislation. All he had said was that measures of the kind were regarded with a great deal of prejudice by persons who were not conversant with the trade; but after the observations of the hon. and gallant Member, he did not mind saying that the Bill did constitute one of the worst Acts of class legislation which had been passed, or was likely to be passed, for some years. He had shown that there was absolutely no precedent for compensating any trade at the expense of the whole community. With regard to the precedent of the hon. Member for South Norfolk (Mr. Clare Read), it was another case of the agricultural interest endeavouring to protect itself against what he called the visitation of Providence. The hon. and gallant Member had continued to impute that he had ironically charged the farmers with an offence against which they so strongly protested; but he had only quoted the words of Professor Brown, in the evidence which he gave before the Committee, when he said that he could not depend upon the then compensation as a means of securing information. He (Mr. Chamberlain) did not make this as a charge which involved any moral obliquity on the part of the persons concerned. He had read it to the Committee as part of the reason why that reward or compensation should be hereafter very considerably increased.

Sir HENRY SELWIN-IBBETSON said, the Amendment suggested to the Committee was that, instead of following the legislation with regard to compensation which had been acted upon for so many years, it should create a fresh system of compensation, and that it should be levied on the district where the disease broke out. Now, with respect to the kind of cattle plague with which they were dealing, it had been held to be so fatal that it was desirable to hold out inducements for procuring the earliest information on the subject, and the object which the Committee had in view was to provide compensation for the cattle that were slaughtered; and if cattle were to be slaughtered indiscriminately, he considered it only fair that compensation should be given out of Imperial funds.

Mr. J. W. BARCLAY opposed the Amendment. The cases which had apparently guided the hon. Member for Birmingham (Mr. Chamberlain) to his conclusions were not really applicable. The instances really in point showed that the proposal of the Government was a just one, and founded on experience. He would take the case of cargo jettisoned at sea in stress of weather, which was exactly in point. It sometimes happened that a ship's captain was justified, according to law, in throwing overboard a part of the cargo. The owner of the part of the cargo which was thrown overboard did not bear the sacrifice which was made for the benefit of all. On the arrival of the vessel at port, the loss was distributed amongst the owners of the rest of the cargo and of the ship. According to the reasoning of the hon. Member for Birmingham, the owner of the cargo which had been jettisoned was not to receive compensation at all, notwithstanding that his property was sacrificed to save the rest. The Government proposed, in the clause under discussion, to interfere with the animals belonging to individuals, and to cause them to be slaughtered for the general benefit of the nation, which was thus exactly in the same place as the owners of the ship and cargo at sea. In the present case, the cost was not for the benefit of the farmers or cowkeepers, but for that of the nation generally, and he had not heard it even contended that this was not an Imperial question. If it were only a question of dealing with disease amongst their herds, it would be simply a matter for the farmers, and the House would have nothing to do with it. But he defied hon. Members to show a case where the property of individuals had been destroyed, however worthless at the time, and where the owners of that property had not received compensation. The question, in his opinion, was not one affecting farmers only, and he thought it could be safely said that if pleuro-pneumonia were to be put down, the reduction in the cost of milk would be very considerable. There was, no doubt, an enormously heavy loss continually arising throughout the United Kingdom from that disease, which largely increased the cost of the production of milk, and added very much to its cost to the consumer. He wished particularly to dwell upon the point that if pleuro-pneumonia were exterminated by this legislation, the nation would greatly benefit by getting a better and a cheaper supply of milk. The principle which was behind the custom of general average for loss at sea seemed to him to be entirely in point in the present case; it was a principle which was not disputed amongst mercantile people, and, he believed, was adopted by all civilized nations. The question before the Committee was, whether the country was to compensate the owners of the destroyed property or not? He was very much opposed to sanctioning claims upon the Imperial Exchequer, for he believed that much more extravagant demands were made upon the Imperial funds than were usually claimed from local rates. Therefore, he should wish, as far as possible, to place a burden of this kind upon the local rates. The case of cattle plague was very different from that of pleuro-pneumonia and foot-and-mouth disease. Both the latter diseases were now indigenous in this country; whereas cattle plague had been, for the present at least, stamped out. For that reason, he thought the burden arising from pleuro-pneumonia and foot-and-mouth disease should be placed upon the rates. Cattle plague, he believed, was almost in every case brought into the country by imported cattle, which cattle had been imported for the general benefit of the nation. From the nature of the disease it was likely to break out in any locality, and not in the particular district which might happen to be benefited by the importation of foreign stock. It was only fair, in the case of the cattle plague, to make the loss an Imperial one. With regard to the other diseases, he considered that the charge should be made upon the local rates rather than upon the Imperial Exchequer. With reference to the suggestion of the hon. Member for Birmingham as to the imposition of a poll tax, a great deal, no doubt, could be said in its favour. But, considering that the adoption of such a policy would be much akin to that with regard to turnpike roads, when it used to be thought sound policy that only the people who used the roads should pay for them, but when now it was recognized to be better policy to impose the burden upon the whole locality which the roads benefited. Upon the principle of the modern turnpike legislation, he thought that the rates should be levied upon all the owners of property in the locality, and not upon the owners of animals only; for there could be no doubt that the inhabitants of the locality would be benefited by the suppression of the disease in their midst, besides obtaining meat and milk at reduced rates. Therefore, if there were to be interference with the property of the owners of animals for the general benefit and advantage, he thought it would be just, as well as expedient, to allow them compensation from the local rates.

Mr. W. E. FORSTER was surprised at the extreme amount of heat which had been introduced into the discussion, for he must confess that he did not look upon this particular question as one of very great importance. No doubt, all questions of compensation were important as a matter of principle; but, in the present case, there was not much fear that there would be an annual charge. They had had two attacks of cattle plague since the great one; both were quickly got rid of; and he should look forward to the time when its appearance would be met by measures which should at once insure its being checked. Although, by the Act of 1869, compensation was to be paid out of the local rates to the owners of animals slaughtered as being infected or suspected, the Committee of 1867 recommended that it should be paid out of the Imperial funds. He thought there was a great deal to be said for keeping these burdens upon the local rates. Generally speaking, he considered this burden ought to fall upon the locality which might fairly be said to be benefited. But it must be admitted that there were, in this special case, two circumstances to be taken into consideration. In the first place, the Bill proposed to take from the local authority power to deal with the cattle plague. The Privy Council were to take the matter entirely into their own hands, and he had no doubt that this would be the better plan. But to pass from model justice to practical legislation, he thought it would be very inconvenient if the Inspectors of the Privy Council were to have the power of imposing serious expenses on the local rates. Therefore, he should reserve his opinion with regard to the principle, remembering that their object was then to meet an exceptional case by an exceptional remedy, and to allow the Privy Council to take the matter into their own hands. If the cattle plague re-appeared, it would probably come upon one or two districts, either London, or the East of Lincolnshire, or the East Riding of Yorkshire. They were more open to this disease than other places. No doubt, a district suffered very considerably by the cattle plague; because it was the duty of the Privy Council instantly to interfere with particular localities in the most serious manner. There was something to be said, therefore, in favour of placing the burden on the Exchequer, although it would not be sufficient to justify infringing a principle, if such were involved. The proposition of the hon. Member for Birmingham was not to place local rates in the place of the Imperial taxes, but to substitute a poll tax on the owners of cattle within a county at the time of the slaughter. The chief objection to that proposition was that it would be extremely difficult to levy such a tax; and, in his opinion, it would cost more to collect than would be procured by it. It was the business of the Government to keep out the cattle plague. While Vice President of the Privy Council, he was extremely anxious when he found he had to deal with the cattle plague. He thought it was the business of the Government to keep it out; and, therefore, he did not consider that they would be acting fairly in compensating for loss by the cattle plague by means of a poll tax. If the tax were only to be imposed to compensate for loss from pleuro-pneumonia and foot-and-mouth disease, his only difficulty was that he did not see how it could be done. He quite admitted that it would be a right principle upon which to assess compensation; but after admitting so much, it was hardly necessary that he should say that he did not think that this was a case for the poll tax. With regard to the other questions, he would reserve his opinions.

Mr. MUNTZ said, that with regard to the case of general average, the fact was that when goods were thrown overboard the loss was borne by all who received benefit from the sacrifice. That was exactly what was proposed by the Amendment of the hon. Member for Birmingham (Mr. Chamberlain); for he wished compensation to be paid by the other farmers and cowkeepers in a county whose animals would suffer from disease if those infected were not destroyed. Moreover, the owners of goods in a ship did not contribute beyond 3 per cent, nor could they recover anything for their loss, unless the ship was insured. With respect to the question whether this ought to be a burden upon the Imperial funds or not, he did not consider that those who contended it was an Imperial matter had proved their case. It had been said that the suppression of the disease would increase the number of cattle and reduce the price of milk; but, judging by numerous communications which he had had from farmers, he concluded that under no circumstances would more cattle be kept than at the present time. The question was, whether this destruction of cattle was for the benefit of the owners of cattle generally, or for that of the public? With reference to stamping out the disease, he did not think that it would be possible altogether to do so, and as the benefit to the public was based only on the presumed increased supply of meat and milk, he could not see that the effect of the Act would be exclusively for their benefit.

MR. J. W. BARCLAY wished to state that he believed the hon. Member for Birmingham (Mr. Muntz) was entirely mistaken in supposing that there was any such limitation as he had indicated in the case of goods jettisoned. It was what was called a general average, and the loss was borne by the ship freight in cargo, in proportion to their several values, when they arrived in port.

Amendment, to insert "local authority," instead of "Privy Council," *negatived.*

MR. CHAMBERLAIN said, he proposed to take a division upon the second Amendment, which provided that compensation, payable out of this Bill, should be paid out of a special rate in the nature of a poll tax, according to the number of the cattle possessed by any person within a county at the time of slaughter.

Question put, "That the words 'out of money provided by Parliament' stand part of the said proposed Amendment."

The Committee *divided*:—Ayes 184; Noes 30: Majority 154.—(Div. List, No. 224.)

MR. J. W. BARCLAY moved, in page 6, line 31, after "be," to insert "three-fourths of the loss arising from the slaughter of the animal based on." The hon. Gentleman said, he moved the Amendment because, from his experience, it was a great advantage to induce farmers to co-operate with the local authorities in making the loss as small as possible. By the Bill as it stood, the farmer would get compensation, whether he put himself to some trouble to diminish the loss, or whether he was regardless in the matter. Directly a place was declared to be infected with cattle plague, if a farmer knew that he could get compensated in full he would take no trouble. But if the Amendment were adopted, the farmer would understand that one-fourth of the loss would fall upon himself, and he would therefore do his best to diminish it. This question occupied a considerable portion of the time of the Committee of 1873. They recommended that whatever compensation was paid should bear some proportion to the owner's loss. He hoped that the hon. Baronet the Secretary to the Treasury would consider that recommendation, and whether legislation would not act best if the farmer were given an interest in diminishing the loss. Several local authorities supported this view.

MR. CLARE READ agreed with the principle propounded by the hon. Member for Forfarshire, that the farmer should be given an interest in the salvage, and so aid in diminishing the evil from the slaughter of his cattle. But in cattle plague he thought compensation of half the value was enough. It should also be remembered that there was a difference with regard to cattle plague, where the carcase was buried, and pleuro-pneumonia, where the salvage was considerable.

MR. WHITWELL thought it would be better to leave the question as it was, although it might be well to disqualify the farmer under certain circumstances from receiving a portion of the compensation.

SIR HENRY SELWIN-IBBETSON said, that Clause 29, paragraph 7, provided that the Privy Council were to have power to withhold compensation in such cases as in the exercise of their discretion they thought fit. He could not accept the Amendment proposed. In the first place, it was on the recommendation of the Committee that it was proposed in the sub-section to give compensation amounting to half the value of diseased animals for the full value of animals that were not diseased. It was proposed that in the latter case the awarding of the full compensation should be in the discretion of the Privy Council, with respect to the point raised as to whether the value given should be that of the animals slaughtered, or loss arising to its owner from its slaughter. The Committee would see how difficult it would be to estimate the amount of evil arising to an owner from the slaughter of his cattle; whereas the value of the animal was easily ascertained, and no difficulty would arise.

Mr. J. W. BARCLAY said, that the Bill as it stood proposed that the owners of animals not infected should be compensated for their loss. He believed that it was quite possible to give a fair compensation, and yet to treat it in such a manner that the cowkeeper or farmer was given an interest in reducing the evil. He, therefore, proposed that the compensation should be three-fourths of the loss arising to the owner. In estimating that loss, he did not contemplate taking into account general or indirect damage. But he thought that if owners had interest in reducing the loss, the owner of the animal affected would put himself to trouble to prevent the spreading of the disease amongst his herd, and also see that proper precautions were taken in respect of quarantine when bringing in new animals.

Mr. DODSON said, that it would be a fair question to consider whether the owners of animals slaughtered should be compensated for the full value, or for some proportion of it; but, in any case, it was the value of the animal which must be the basis of the compensation, or else the matter would become unnecessarily complicated.

Mr. SYNAN thought the Amendment was rather ambiguous in its terms, and that before it could be adopted by the Committee it must be made clearer. He hoped that the hon. Member, in the interest of those whose cause he advocated, would withdraw the Amendment.

Mr. J. W. BARCLAY said, that the Amendment would be free from ambiguity, as it provided that the compensation should be three-fourths of the loss arising from the slaughter of the animal, based upon the value of it immediately before it was so slaughtered. But after the expressions of opinion to which he had listened, he should ask leave to withdraw the Amendment.

Amendment, by leave, *withdrawn.*

Mr. CHAMBERLAIN, who had given Notice of the following Amendment, in page 6, after line 33, to insert:—

> "Provided, That no compensation shall be granted in respect of any animal slaughtered when the owner or the person having charge thereof has been guilty in relation to such animal of any act in contravention of this Act, or of any order, regulation, or licence of the Privy Council, or of a local authority, or has, in relation to such animal, failed to comply with the provisions of this Act, or of any such order, regulation, or licence, in respect of the giving of notice of disease, or in any other respect;"

said, he did not now propose to move it, because he found it was provided for in Clause 29.

Clause *agreed to.*

Pleuro-pneumonia.

Clause 16 (Declaration of infected place in pleuro-pneumonia by local authority).

Mr. CHAMBERLAIN moved, in page 6, line 35, to leave out "twenty-eight," and insert "fifty-six." There was an inconsistency in the Bill as it now stood. The insertion of 28 days in the clause was inconsistent with Clause 20, where 56 days appeared as the period after the expiration of which the local authority might order a place to be declared free from pleuro-pneumonia. Professor Brown said that he had repeatedly known two months to elapse before pleuro-pneumonia appeared. In cross-examination, he said that nothing had occurred since 1872 to shake his opinion upon that subject. That testimony was confirmed by Professor Simonds, who said that 56 days was not always sufficient for the period of incubation. And an Irish witness, Professor Baldwin, who seemed to represent the agricultural interests of Ireland, had an interview with the Lord President of the Council with reference to this matter, and pointed out that cases had arisen in his experience in which the outbreak of disease had occurred at a much longer period than 56 days, and in one of the cases which he mentioned, three months had elapsed between the outbreak of cases. In the interest of stock owners, therefore, it would be well that a period from which the Inspector could declare the place for pleuro-pneumonia should be stated.

Sir HENRY SELWIN-IBBETSON thought that the hon. Member for Birmingham had slightly misunderstood the clause. It referred to a case in which an Inspector discovered pleuro-pneumonia, and it was only on that account that he was to declare the place infected. If declared infected, it would remain so for 56 days after the disease had ceased.

MR. CHAMBERLAIN did not think that the hon. Baronet quite followed the point which he wished to make.

MR. SYNAN considered the circumstances upon which the hon. Member for Birmingham based his Amendment to be extremely doubtful. There had been instances in Ireland in which the disease had re-appeared after three months' immunity; but that was not due to previous infection, but to an entirely fresh and separate outbreak. Indeed, he had never known a case of a farm where, after a lapse of 28 days, the disease had propagated itself by succession; so that it appeared to him it was really very little matter, practically, whether they made the period 28 days or 56.

MR. O'SULLIVAN also asserted that the recurrence of disease within three months was generally due not to a continuation of a former outbreak, but to fresh infection; and, therefore, he contended that the limit might stand at 28 days, as proposed by the Bill.

Amendment *agreed to.*

MR. SYNAN moved, in page 6, line 37, to insert the words "not being a fair, or market-place, or wharf," after the word "place" in the clause. In Ireland the fair-places were not so well inclosed, nor the market-places so ornate as in England; there were neither sheds, nor stalls, nor pens, nor anything else for the accommodation of animals. The gatherings, in fact, were generally held in a field, upon which, perhaps, there had not been any cattle for a year before; therefore, there could not be any pleuro-pneumonia existing in such a "place." Yet, under the Bill, it would be open to an Irish Inspector—perhaps an unprofessional man, knowing nothing about cattle diseases, and consequently likely, in most cases, to be mistaken—of his own motion to serve notice on the occupiers declaring the field to be an "infected place." What would be the result of such a proceeding at Ballinasloe, for instance? Why, that all the people would rush from the fair under the apprehension that their beasts would be detained there for 56 days—and, as a consequence, an end would virtually be put to the whole cattle trade of Ireland—every market and fair would practically be extinguished. He could not conceive that the Secretary to the Treasury would decline to make a concession which was simply intended to plainly and unmistakably define what to every lawyer was the obvious meaning of the clause. The clause as it was framed would work the greatest mischief that had ever been inflicted on Ireland, and would stir up the dealers to active hostility towards the Bill.

MR. WHITWELL urged that it was very desirable that the exemptions under the Bill should not be made too numerous or too large, otherwise markets and fairs would very speedily become the centres of infection.

SIR HENRY SELWIN-IBBETSON said, that he had not, since the Amendment was placed on the Paper, had an opportunity of consulting the draftsman who drew the Bill. His own opinion had been that no tribunal having to construe the clauses would have any difficulty in coming to the opinion that markets and fairs were dealt with under Clause 26; but, as it was now stated that an exceptional state of things existed in Ireland, he would agree to look into the question with the draftsman with a view to seeing if some words could not be inserted in the clause that would get over the difficulty which had been raised. He could not, however, at that moment, undertake to accept the Amendment.

MR. MITCHELL HENRY hoped that the Secretary to the Treasury would place the meaning of the Bill beyond all doubt by inserting a Proviso that the Bill should not apply to any markets or fairs in Ireland.

SIR HENRY SELWIN-IBBETSON repeated that he had not had an opportunity of consulting with the draftsman as to the effect of the words of the clause in reference to markets and fairs in Ireland; but that he would do so, and communicate the result to hon. Members the next day.

MR. ANDERSON was afraid, if exceptions were made in favour of markets and fairs in Ireland, that the real object of the Bill would be defeated, and that the "places" themselves would become hotbeds of disease. The exceptional state of things alluded to by the hon. Member for Limerick County (Mr.

Synan) was, in his opinion, fully provided for under Clause 26; and, therefore, he thought the Secretary to the Treasury ought at once to refuse to make any alteration in the Bill.

Mr. MITCHELL HENRY maintained that it was perfectly clear that Clause 16 was intended to apply to markets and fairs such as had been referred to by the hon. Member for Limerick County; but what was wanted was that the Government should make clear its intention on the subject, especially as the condition of the two countries was entirely different. He agreed that if the clause were enforced against Ireland, the result would be to stop the whole cattle trade of the country.

Mr. CHAMBERLAIN admitted that those who desired to make the Bill a real Bill would have to give their attention to the case of Ireland; but, in this matter, he confessed his opinion that if the farmers of England were ready to submit to severe restrictions for stamping out disease, the farmers of Ireland should do the same, or else consent to be treated as a foreign country. Professor Simonds, in his evidence before the Committee of the House of Lords, stated that if it were seriously intended to stamp-out pleuro-pneumonia and "foot-and-mouth," it would be absolutely necessary to stop such a fair as Ballinasloe, at least until the disease had passed away; and that being the testimony on which they ought to act, he hoped the Secretary to the Treasury would not alter the clause as suggested.

Mr. SYNAN thought the spirit of his Amendment had been misapprehended. He did not want any special advantages for Ireland; all he claimed was that Ireland should not be put under conditions which in England would not be tolerated for a moment. He contended that, under the 26th clause, it was within the power of the Privy Council to stop Ballinasloe, or any other market or fair in Ireland; and he was entirely at a loss to see what objection there could be to remove an ambiguity which might lead to mischief and bad feeling. He was ready, however, to accept the offer of the Secretary to the Treasury, on the understanding that the consideration of that part of the clause to which his Amendment applied was postponed.

Mr. J. COWEN was of opinion that the question raised by the hon. Member for Limerick County (Mr. Synan) affected the whole point of the Bill. One of two things ought to be done; either Ireland should be treated in absolutely the same way as England, or she should be put in the category of a foreign country. How could Ireland expect to be placed on a footing with England unless she consented to the same restrictions? It was an irrefutable fact, that in the North of England more disease came from Ireland than from any Continental country he could mention. If the object of the Bill was really to stamp out disease, it was well that the Government and the Committee should fully understand the position of Ireland in this matter, and that they should see that it was absolutely necessary that the restrictions should apply equally to both countries.

Mr. ANDERSON said, his opposition to the second reading of the Bill was because it seemed conceived in the spirit of that legislation which, in a former age, treated cattle importations from Ireland as a common nuisance, and prohibited them entirely; and that he thought was, to some extent, the spirit in which the Bill was framed, and as it was desired it should pass, and if Irish Members endeavoured to get special exemptions, that was what they might bring on themselves. If the exceptional provisions which the Irish Members were now trying to obtain were conceded, before the Privy Council could interfere, the fairs or markets would become hotbeds of disease; so, unless the Secretary to the Treasury retained the clause as it stood, the purpose of the Bill would be defeated.

Amendment, by leave, *withdrawn.*

Mr. M'LAGAN referred to the Amendment he had placed on the Paper, making it compulsory, instead of optional, to extend the limits of the "declared" place to adjoining buildings, and announced that he intended to withdraw it in favour o the Motion about to be proposed by the hon. Member for Birmingham, by which he thought the largest amount of security would be obtained.

Mr. CHAMBERLAIN moved, in page 7, line 16, at end, to insert—

"And should include within those limits all other lands or buildings adjoining or near thereto, and in the same occupation."

The object of the Amendment, he said, was to carry out the recommendations made to the Committee of the House of Lords. Professor Simonds, in his evidence before their Lordships, objected to the limited area which it was competent for an Inspector to declare infected, and advised that the "declaration" should be enlarged to all lands and premises held by the same occupier, with power to extend the area even further. In "another place," both Professor Simonds and Professor Brown agreed that some such regulations were absolutely necessary, if an attempt was to be made to stamp out disease. He thought the Committee must agree that it was undesirable to place any more discretion in the hands of the local authorities than had already been conceded; but if they were unwilling to trust the Privy Council in this matter, it would be a curious thing to leave so much to the subordinate body.

Amendment proposed,

In page 7, line 17, to leave out from the word "and," to the word "relates," in line 19, inclusive, in order to insert the words "shall include."—(*Mr. Chamberlain.*)

Question proposed, "That the words proposed to be left out stand part of the Clause."

MR. CLARE READ wished the Committee to remember the great difference between pleuro-pneumonia and foot-and-mouth disease. Experiments seemed to prove that pleuro-pneumonia could only be communicated by the breath of the living animal; what made it so dangerous was the long and uncertain period of its incubation. In the case of pleuro-pneumonia, therefore, a comparatively small area of "declaration" would suffice. He begged to call the attention of the hon. Member for Birmingham to the fact that the evidence he had quoted was given entirely in reference to foot-and-mouth disease. He thought the Bill, as it stood, was quite sufficient to meet all cases of pleuro-pneumonia.

SIR HENRY SELWIN-IBBETSON said, the effect of the Amendment would be practically to take away the discretion of the local authorities. The difference between pleuro-pneumonia and the diseases to be dealt with by the Privy Council, under previous clauses, was very great. If, in pleuro-pneumonia, the period of incubation lasted a considerable time, the means of communicating the disease was much more limited; and, therefore, the necessity for proscribing a very large area did not exist. By the present clause, they simply gave power to the local authority to "declare" any place which it might think it wise or necessary to place under that ban; and he ventured to think that if they deprived the local authority of that discretion in the matter of a disease which, whilst it was contagious, was not so subtle as others, it would be a tendency to induce such local authority to slacken its action.

MR. CHAMBERLAIN, by further quotation from the evidence given before the Lords' Committee, showed that the hon. Member for South Norfolk (Mr. Clare Read) was mistaken in supposing that the testimony of Professor Simonds referred only to foot-and-mouth disease. He reminded the Committee that witnesses well qualified to represent the agricultural interest had stated, over and over again, that the farmers were quite willing to submit to severe regulations if a really effective attempt was to be made to stamp out disease. It would be very unwise, then, now that they were engaged in such an attempt, that all the sacrifices which were ready to be made should be rendered useless by concessions to just one of the many interests concerned.

MR. MACDONALD maintained that if Professor Simonds classed pleuro-pneumonia and foot-and-mouth disease together, he could not have been a very reliable authority, since everyone knew that they required entirely different treatment. He would only say, so much for experts. Pleuro-pneumonia, as the hon. Member for South Norfolk had said, could only be communicated by the breath of the living animal; and it was possible, therefore, to confine the disease to a small space. He thought it would be unwise to put upon the farmers, or those who kept cattle, any unnecessary restrictions.

MR. M'LAGAN remarked, that as this was the first Bill that had been introduced with the avowed object of stamping out cattle disease, the farmers of the country ought to show a disposition to submit to very severe regulations. It was quite true that pleuro-pneumonia and foot-and-mouth disease required different treatment, and that the latter was more infectious than the former; but yet it seemed to him to be necessary that they should have as strict regulations for the one as for the other, since when pleuro-pneumonia broke out it most frequently extended to a whole district. The object of the hon. Member for Birmingham was to make a prescribed area greater than that contained in the Bill, and that was also the object of the Amendment of which he (Mr. M'Lagan) had given Notice. The number of animals that had been lost through pleuro-pneumonia had been very great indeed, and an extension of area would be in the interests of the farmers themselves; because it would make those who occupied adjoining farms look after the matter and endeavour, as far as they could, to prevent their herds becoming affected. In this way the extension of the area would not only be in the interests of the farmers, but also in the interests of their neighbours. In every district he found that the farmers were anxious to go to the markets and purchase cattle, without taking the trouble to ascertain whether they were affected by disease or not. They brought them home to the very gates of their neighbours, and no one was able to tell what the loss really was which resulted from this practice. Therefore, if an extension of the prescribed area would have the effect of making the persons living in that area look after not only their own interests, but those of the adjoining farmers, a very good result would be accomplished. On these grounds, it would be advantageous that they should extend the area as suggested by the hon. Member for Birmingham. So far as his (Mr. M'Lagan's) Amendment was concerned, he should not move it, if he found the general feeling of the House against the principle of the hon. Member for Birmingham. If, however, his hon. Friend carried his Amendment to a division, he (Mr. M'Lagan) should feel bound to support him.

General Sir GEORGE BALFOUR asked the Secretary to the Treasury to explain, whether Sub-section 2 of Clause 17, on page 8 of the Bill, would apply to those cases? That sub-section said that—

> "The Privy Council may, from time to time, if they think fit, by order extend the limits of a place infected with pleuro-pneumonia, declared either by a local authority or by the Privy Council."

It was a matter for consideration whether it would be necessary for the hon. Member for Birmingham to propose a new clause when they had already a clause in the Bill which carried out the same object.

Mr. CHAMBERLAIN said, the sub-section referred to did not meet his intentions in proposing the Amendment. It provided that—

> "The Privy Council may from time to time, if they think fit, by order extend the limits of a place infected with pleuro-pneumonia declared either by a local authority or by the Privy Council."

That was a very roundabout way. What he wanted to insist upon was that the local authorities should in every place, without an appeal to the Privy Council or anybody else, declare that all lands in the same occupation constituted an infected place. He considered the Amendment to be of considerable importance, and he should certainly carry it to a division.

Mr. J. W. BARCLAY said, the Amendment tended to carry out the principle he had himself endeavoured to establish. It was quite true that pleuro-pneumonia could not be communicated to a live animal except by contact; but they were bound to make provision against the possibility of contact in taking cattle from one field to another. Then, again, animals might come in contact with each other across fences. The question was, however, whether this Amendment was necessary, or whether it was desirable that the district or infected place should be extended so as to include all lands and buildings in the same occupation? He understood this to be the Amendment of his hon. Friend. He certainly thought that in that case they should make the regulations as stringent and effectual as possible, and not leave the matter to the discretion of the Inspector, who might be open to local influences. His own opinion was that in every case where disease existed the provisions of the Act ought to be carried into effect, whether one particular field or stable was infected or not.

Mr. GOLDNEY said, it was provided by the Bill that the Inspector was to make a declaration, which declaration was to be sent to the local authority; and the local authority was then, if they considered it necessary, to call in extra assistance—namely, that of the veterinary surgeon. The clause gave them the power to go even beyond the land referred to in the declaration. The section or clause now under discussion said—

> "If the local authority are satisfied of the correctness of the Inspector's declaration as regards the existence or past existence of disease, they shall by order determine and declare accordingly, and prescribe the limits of the place infected with pleuro-pneumonia, and may, if if they think fit, include within those limits any lands or buildings adjoining or near to the cowshed, field, or other place to which the Inspector's declaration relates."

He was afraid that the adoption of the Amendment would, in reality, limit the jurisdiction of the local authority to something definite; whereas, at present, the clause gave them full power to go beyond the Inspector's declaration, and to take cognizance of adjoining lands, which might by possibility be infected by disease.

MR. W. E. FORSTER thought there was a difficulty in the matter. It was exceedingly important, in regard to the action of the Privy Council, that it should be known what the Government meant by the word "place." He thought it was most desirable that they should have a definition of that word, especially in connection with the home diseases. At present the clause read—"cowshed, field, or other place;" but something more definite ought to be given. Until they knew exactly what was meant by "place," they did not know what they had to deal with at all; and, therefore, he thought he might fairly ask the Government what they meant by "place" in the words "cowshed, field, or other place?" They had now before them an Amendment to increase the limits within which the Act should apply; but, in the first instance, it was necessary that they should know what the place was before they increased the limit of it. He should be much obliged if the Secretary to the Treasury would give some information to the Committee.

MR. SYNAN was sorry the right hon. Gentleman was not present when the discussion occurred on the word "place" in connection with another part of the Bill. Probably the right hon. Gentleman might have forced the Treasury to come to some conclusion on the subject. He (Mr. Synan) offered what he considered convincing arguments to show that the word "place" ought not to be allowed to remain undefined, and that it should not include such places as fairs, markets, and wharves. He could not accept the Amendment of the hon. Member for Birmingham on plain and obvious grounds. In the first place, it was somewhat strange that they, not being professional men, acquainted with this particular disease, should endeavour to draw a hard-and-fast line in the clause, taking away all discretion from professional men who were called upon to report as to the disease, and who were the best judges how a particular locality infected with the disease ought to be extended. No doubt, in the case of pleuro-pneumonia, the narrower they made the area the better it would be for the purpose of stamping out the disease. The hon. Member for Birmingham, however, seemed to be of opinion that the best course would be to make the area as large as possible. Now, suppose the hon. Member had two farms, of 1,000 acres each, with a cowshed at the end of one of them and another cowshed at the end of the other. If the disease affected one of the farms, the shed upon that farm would be very far away from the shed upon the other, and it would not be necessary to include the whole of the two farms in the application of the Act. To his (Mr. Synan's) mind, it would be better to leave this matter to the professional men who were investigating the case. They would know what parts of the farm were infected, and would be the best judges within what limits to extend or define the boundaries of the infected area. He thought it would be much better to leave this matter to the professional men, rather than draw a hard-and-fast line taking all discretion away from him.

SIR HENRY SELWIN-IBBETSON said, that as he understood the clause and the object of the Bill, it was, while giving the fullest possible power to the local authority to extend the limits whenever they thought it desirable, to restrict, as far as possible, the first initiative or the first danger. In the Act passed by the right hon. Member for Bradford

(Mr. W. E. Forster) the area was similarly limited to a cowshed, field, or other place.

Mr. W. E. FORSTER asked what was the meaning of the word "place?"

Sir HENRY SELWIN-IBBETSON supposed that place meant about the same thing as was meant by the other words in the clause. A "place" would be a similar thing to a cowshed or a field—a farm-yard or a building connected with a farm-yard. When they wanted to go into a larger area the local authority had to define what the limits were. He thought that would be safer than laying down a distinctly larger area in the first place. There was considerable force, he thought, in the remarks which had fallen from the hon. Member for Limerick County (Mr. Synan). If they took the terms of the Amendment of the hon. Member for Birmingham, they might have a person who had two farms or even more in common contiguity, and who, under these words, would practically be restricted from removing his cattle in a farm where no disease existed, because he happened to have disease on another farm in his occupation. He thought that, on the whole, the Committee would see that ample power was given to the local authorities to deal with this disease, which was admitted not to be as infectious as the disease they had dealt with in a previous clause. It was not desirable to extend the meaning of the word "place," so as to cover any amount of ground as foreshadowed in the Amendment of the hon. Member for Birmingham.

Mr. W. E. FORSTER said, there was no doubt that power was given to the local authority to extend the limit; but the question was, what the local authority were directed to do? His hon. Friend said that "place" meant something like a cowshed or field. But the point was—what was like a cowshed or field? [Sir Henry Selwin-Ibbetson: A farm-yard.] Was it to apply to a wharf, pen, or lair? The Committee at present were absolutely in the dark, unless they knew what the "place" was where the disease existed, because the stamping-out arrangements were to spring from the "place" where the disease began. When they once came to the conclusion that a place was infected, then there was to be power to enlarge it—and if a case of pleuro-pneumonia was discovered, it would be possible to declare the district round it infected with the disease; but, unless they knew what the area was to be, they would be absolutely in the dark. The Amendment of the hon. Member for Birmingham was that they should include within that limit all other land and buildings adjoining. What he wanted to know was what it was adjoining, and what it was near? He knew it was not a very easy thing to define; but he thought that the Government, before carrying into effect any stamping out measures, should define, in their own minds, what was to be the place to begin with. He understood what a cowshed was, and what a field was; but he had a very vague notion of what a "place" was, especially when the Secretary to the Treasury told him that it was something like this. He wanted to know in what respect it was like it?

Mr. MACDONALD said, it occurred to him that the right hon. Member for Bradford (Mr. W. E. Forster), and those who took the same view, that a very precise definition should be given to the word "place," they were defeating the object they had in view in passing the Bill. If there was a cowshed or lair in any other part of a farm away from the spot where the disease broke out, it might be said that the disease did not occur there; and, therefore, he thought that the word "place" was the proper word to use, because, under that word, they could lay hold of any portion of the farm and of any place which came within the meaning of the Act. If the suggestion of the right hon. Gentleman were adopted, they would only give a more vague definition, which might, he thought, have the effect of enabling an offender to escape, if the part of his property infected with the disease did not happen to come within the definition. Under these circumstances, he thought the word "place" was the most correct word that could be put into the Bill. He had listened to the remarks of the hon. Member for Linlithgow (Mr. M'Lagan). There was no man in the House whose observations upon any question respecting cattle or farming would be received with more respect, except, probably, those of the hon. Member for South Norfolk (Mr. Clare Read); but his argument upon the

Amendment of the hon. Member for Birmingham was a very extraordinary one. The hon. Member said that if pleuro-pneumonia broke out in one farm, it would be sure to break out in the next. Now, what did that mean? If it were correct, it meant that when once pleuro-pneumonia occurred, it must extend all over the country. Now, as far as his own knowledge and experience went—and he knew something about it, personally—he was not aware that when pleuro-pneumonia broke out in one farm, it was a necessary sequence that it should break out in the farm adjoining.

MR. CLARE READ was prepared to endorse what had fallen from his hon. Friend the Member for Stafford (Mr. Macdonald). It was quite possible for cattle on a farm to be free from disease, while cattle on the same farm were affected with it. If, however, they were allowed to come into contact with each other, or to smell each other across a hedge, it was possible for the disease to be communicated. But his own experience—which, he was sorry to say, ranged over a long period—in regard to pleuro-pneumonia, was directly in contradiction to the experience of his hon. Friend the Member for Linlithgow (Mr. M'Lagan). He did not think that the disease did spread from farm to farm, unless the animals were brought into immediate contiguity to each other. In regard to this clause, he thought they must give the local authority a certain discretionary power. The circumstances, for instance, were not always the same. Take a farm in the winter and in the summer. As his hon. Friend the Member for Limerick (Mr. Synan) said, in the winter months the cattle might be in a cowhouse or in a yard, and what would be the use of declaring the whole of 1,000 acres of land infected, when they could isolate all the cattle desired in a much smaller area? On the other hand, if that same farm was a grazing farm, in the summer months it would be found necessary to place the whole of it under a ban, and, perhaps, to go considerably beyond the farm itself. He, therefore, thought that this was a matter that ought to be left to the discretion of the local authority. He was certainly of opinion that the disease was not so contagious as any other disease they had to deal with.

MR. PEASE wished to point out to his right hon. Friend the Member for Bradford (Mr. W. E. Forster), that by Sub-section 6—

> "If the local authority are satisfied of the correctness of the Inspector's declaration as regards the existence, or past existence, of disease, they shall, by order, determine and declare accordingly, and prescribe the limits of the place infected with pleuro-pneumonia, and may, if they think fit, include within those limits any lands or buildings adjoining, or near to, the cowshed, field, or other place to which the Inspector's declaration relates."

Therefore, as his hon. Friend the Member for South Norfolk (Mr. Clare Read) had pointed out, the discretion in defining what was to be a "place" really rested with the local authority, and that was the only thing, he thought, the Committee could adopt. If they assented to the Amendment of his hon. Friend the Member for Birmingham, they would place the farm which he (Mr. Pease) occupied in a condition of very considerable difficulty. The farm he referred to, which was in his own occupation, was several miles long, and situated on a hill side. If disease broke out upon it, there was no reason whatever why the whole place should be declared infected, especially when the place where the disease broke out could be easily defined.

MR. GREGORY could not help thinking that they were fighting for a shadow in taking issue upon that word "place." They ought to take the whole of these clauses together; and, if they did, they would find that the Inspector was to make a report and serve a notice. Upon that notice and report, the cowshed, field, or other place infected with the disease would be determined. It was to such a place so determined as infected that Sub-section 6 would apply. If they attempted to define the place more strictly, they would miss their whole object, and exclude a number of buildings, fields, or pens, which would be brought within the meaning of the clause by using the term now applied. Now, with respect to the clause and the Proviso proposed, he would point out a case within his own knowledge. He happened to have a farm held by a tenant who held another farm under another landlord. Both, however, were in the same occupation, although one was two miles away from the other. The

Amendment of the hon. Member for Birmingham said—"adjoining or near to." Now, "near to" was very vague, and if they gave it to any local authority to determine the meaning of these words, they might depend upon it that very different definitions would be given. In another case within his own knowledge, a tenant occupied two farms, one a mile from the other. Was this to be considered "near?" The two farms were certainly in the same occupation. He certainly thought that these words went much too far, and would give rise to considerable difficulty.

Mr. W. E. FORSTER was sorry to be so pertinacious; but it was simply because he wanted to know how they were going to form the Act. His hon. Friend the Member for Stafford (Mr. Macdonald) said he thought it would be better to leave the clause as it stood, and the hon. Member who had just sat down confirmed that view. But he wanted the Secretary to the Treasury to tell the Committee whether, if pleuro-pneumonia were found in some animals in a market-place, that market place was to be considered a "place" within the meaning of the clause? Really, they ought to know this. It would be impossible to frame measures for stamping out disease until they knew how they were to deal with such cases as this. Were they to be expected to declare, in such a case as this, that a market-place was something like a cowshed, field, or farm, or was it to be left to the discretion of the local authority? If it were left to the discretion of the local authority, it would be very unlikely that they would get anything approaching uniformity of action. The local authority in one case where the disease was found in a market-place might declare that that was a place within the meaning of the Act; whereas, in another case, no such declaration would be made. What chance, therefore, would there be of having that kind of action in the country which they required in order to stamp out the disease? An hon. Member behind him said it would be easy to pen off a certain portion of a market. Now, he did not know that that would be a very easy thing to do, as there must be some kind of general understanding. It would not do to leave such a matter to haphazard. Their only chance of stamping out the disease would be to take away the diseased animals where there was the slightest infection, and there would be the greatest amount of infection where there was the greatest number of animals about—and, surely, that would be in a market? He wanted to know whether the clause was to deal with a market-place or not?

Sir HENRY SELWIN-IBBETSON said, he hoped to satisfy the right hon. Gentleman on that point. The question with regard to the word "place" was entirely governed by what had been stated by the hon. Member for South Durham (Mr. Pease). If the Inspector found that the infection had broken out on a particular farm-yard, he would, for the purposes of the Act, declare that farm-yard to be an infected place, and he would then let the local authority know, and the local authority would define what the limits of that place were—either that the whole of that farm was infected, or that the whole of two or three farms in the same occupation were infected, as the case might be. He (Sir Henry Selwin-Ibbetson) happened to hold three farms, not in contiguity; one was half-a-mile, and another was a mile from the third, and it would be a great injustice to put them all under the same ban. That was a case in point. As to the question about markets, if the right hon. Gentleman would refer to Clause 96, he would find that the Privy Council were to lay down rules and regulations which would show how all animals in every district throughout the country were to be dealt with when disease showed itself, if they were exposed for sale or exhibition in a market or other place, and in a previous sub-section there were provisions with regard to animals on a wharf. This showed that the Privy Council were to define where the action was to be universal, and that where it happened in the district of a local authority the local authority should define the limits of the place which was to be considered infected.

Mr. W. E. FORSTER said, that this merely brought the Committee to a point which he thought most unfortunate. He did not know that this was exactly the time, but the sooner they got it the better, for he thought they had a right to ask the Government what sort of order they intended to promulgate with regard to markets? In what direction was it to be? He did not want details; but was it to be to the effect that when they found an animal in the market-place affected with pleuro-pneumonia, they were to consider that market-place infected or not? Unless they could tell the Committee what they were going to do when they found the disease in a market-place, they were asking the Committee to pass the Bill in the dark. The observations of the hon. Baronet would seem to mean that they were going to give absolute discretion to the Privy Council, and he did not know that he should object to that; but that was not the way in which they were dealing with the foreign trade. The position the Government now took was that they gave the Privy Council discretion in certain directions in respect to the foreign trade; and he thought they had a right to ask, in the interest of all parties, for some sort of information as to what the Government intended to do in such a matter as this—how they meant to deal with those animals when they were found in a market-place? The evidence of the experts, Professors Brown and Simonds, and of others who knew anything of the practical working of these Acts, showed that they knew that this was a crucial test. They knew how to deal with a stable or a cowshed, but it was different with a market-place; and if the Bill was to become an Act without their being informed on that point, they would be absolutely in the dark.

MR. GOLDNEY said, he hoped the right hon. Gentleman would be satisfied with the explanation of the hon. Baronet. The principle of the Bill he understood to be that the Privy Council were to lay down general orders as regarded market-places and other places; the local authority, having a special knowledge of those places, were to convey those orders out, and having taken the advice of a veterinary surgeon, in addition to that of their own Inspector, were to declare the limits of the place. The Amendment now before the Committee would limit a "place" to lands and buildings in the same occupation; whereas the place might be in contiguity to another occupation, and the local authority would, under the proposal in the Bill, have authority to declare that an infected place as well as the place the man occupied. He submitted that the Committee should not adopt the limit proposed.

MR. EARP said, he very much questioned whether the hon. Member for South Norfolk (Mr. Clare Read) was justified in expressing himself so confidently with regard to the necessity of actual contact between living animals in order to spread this contagious disease. He thought it would be very unwise to pass this clause without some qualifying words.

MR. CHAMBERLAIN said, he thought there was some force in the objection of the hon. Member for Chippenham (Mr. Goldney), and that his Amendment would have the effect of limiting the discretion of the local authority. But if the Committee and the Secretary to the Treasury saw fit to accept his Amendment, it might be further amended by omitting the word "and," and making it read "also in the same occupation." It was quite true that, under the existing Act, the local authority had ample powers; but could they trust the local authority in all cases to exercise those powers? Were they certain that there would be anything like uniform action throughout the country? What really had been the foundation for all this legislation? It was that the local authorities in respect to this particular work had been tried and found wanting. In the Reports of the Veterinary Department, and also in the evidence given before the Committee on the subject of the cattle plague, there ran a continuous thread of complaint against them; and if they had failed in the cattle plague, they were *à fortiori* more likely to fail with respect to pleuro-pneumonia. Objection had been taken that the Amendment would be very unfair in such a case as that mentioned by the hon. Member for South Durham (Mr. Pease), who told the Committee that he had a farm which was two miles long. But the proposal was merely to apply to pleuro-pneumonia what was already the law with regard to cattle plague. Section 34 of the Act of 1869 stated that where an Inspector found the cattle plague or the sheep pox existing within a district, he should forthwith make a declaration under his hand to that effect; and that, thereupon, the place specified in the declaration, together with all the lands and buildings contiguous thereto and in the same occupation, should become an infected place. The construction he put upon that was that all the lands and buildings in the same occupation would be included in the place; and, therefore, the farm mentioned by the hon. Member for South Durham would, under that provision, become an infected place. This very question was distinctly put to some of the witnesses who were called before the Committee, and they said they knew of instances in which, owing to the absence of some such provision, cattle had been removed from one part of a farm to another, and that the disease had thereby been spread. But if serious objection was taken on the ground of possible hardship in exceptional cases, it might be met by giving discretion to the Privy Council to reduce the limits in cases in which they thought fit. But the proposal only was to apply in this case what hon. Gentlemen opposite claimed in the case of the foreign trade—namely, that exclusion should be the rule, and that inclusion should be within the discretion of the Privy Council. He asked them to treat the foreign trade and the home trade on the same principle—that the declaration of an infected district should be made imperative on the local authority, and that the Privy Council should be allowed to remit it in exceptional instances. He would trust the discretion of the Privy Council rather than the discretion of the local authority, who might not be ready to do what involved great annoyance to some of their own number or their colleagues in trade, and it was therefore undesirable that the discretion should be left in their hands. There was one other point to which he wished to direct the attention of the Committee. It would be observed that in the next sub-section it was provided that the local authority might include in an infected place part of a district within the jurisdiction of another local authority with the previous consent in writing of that authority, but not otherwise.

Mr. CHAPLIN said, that this Amendment was unnecessary, even from the hon. Member for Birmingham's own point of view. The hon. Member had expressed his confidence in the discretion of the Privy Council; but he had omitted to observe that in the succeeding clauses the Privy Council had power to declare a place infected, to define the limits of the place, and to declare a district infected. Therefore, the object of the hon. Member was met, according to his own statement, by the three succeeding clauses of the Bill. He wished to say one word by way of appeal to hon. Gentlemen opposite. They were told by the hon. Member for Newcastle (Mr. J. Cowen) that, in consequence of the concession made by the Government, hon. Members on his side of the House had no longer any desire to obstruct the Bill; they only desired to criticize it fairly. Now, he had not a word to say against the criticisms that had been made already; but, considering the time that these Amendments had occupied, considering also the number of Amendments still on the Paper, he was afraid they would have to sit there till the month of October.

Mr. J. W. BARCLAY wished to know whether the hon. Member used the word "obstruction" in the sense in which it had been recently applied? [Mr. Chaplin: Certainly not.] He (Mr. J. W. Barclay) could only assure the Committee that his desire was to make the Bill an improvement on the existing state of matters. The question was, whether they were going to give the local authority discretion in this matter of declaring a place infected? He asked the Committee to recollect that one of the reasons given for this Bill was that there had been complaints as to the want of uniformity of action on the part of the local authorities; and it was understood that under this Bill they were going to dispense with all that, and lay down hard-and-fast rules, and make stringent regulations with regard to the diseases it dealt with. It was pointed out that this would cause a considerable amount of trouble to the farmers; but the reply was that the farmers were ready to submit to any inconvenience or stringency, in order to get rid of these diseases. But now that they were beginning to apply these stringent rules, and endeavouring to make the Bill more stringent and effective than the existing Act, they were met by the Representatives of the English farmers complaining of the inconvenience which they involved in cases of farms 2,000 acres in extent, or in such cases as that mentioned by the hon. Member for South Durham (Mr. Pease) of a farm two miles in extent. He (Mr. J. W. Barclay) maintained that the rules certainly ought to be applied to such cases. The presumption was that pleuro-pneumonia had existed there for some time previous to its detection, and where the cattle on a farm of any extent had been mixing together, the presumption was against the whole herd. He therefore insisted that if this Bill was to be made at all effective, if it was to accomplish the objects intended—namely, to exterminate the diseases it professed to deal with—then they must have stringent regulations dealing with those diseases when discovered. This provision proposed to take effect when the disease of pleuro-pneumonia was discovered on the farm of any individual; and he thought it would be admitted by those who knew anything about the disease and its character, that if it was discovered on any part of a farm, the presumption should be that the disease existed upon the whole of that farm, and the land contiguous in the same occupation. He, therefore, thought that it was absolutely necessary, in order to carry out the professed objects of the Bill, tha tthe clause should be made more stringent than it now stood.

COLONEL RUGGLES-BRISE said, it was proposed to put the home trade and the foreign trade on precisely the same footing, and he thought it was a waste of time to argue otherwise.

MR. W. E. FORSTER said, he could not vote for the Amendment; but he thought that it would be absolutely necessary for the Government to give a more clear definition of what they proposed, and that when they got to the clause with regard to markets, it would be absolutely necessary that they should say distinctly what they were going to do. His hon. Friend the Member for Birmingham (Mr. Chamberlain) made a definition of the word "place;" but he thought it was too big a definition. It would include all the land adjoining the place where the disease broke out; but he thought that was too great a definition of "place." Also, he did not think the fact of land being in the same occupation had very much to do with the question. He, therefore, could not vote for the Amendment.

MR. STORER said, that from the indefinite way in which the Amendment was worded, it would cause great inconvenience. Although land might be in the same occupation, there might be other occupations intervening. One occupation might consist of two farms, and both might be infected, and there might be intervening another place in another occupation which might not be infected.

MR. MURPHY said, he wished to point out to the Secretary to the Treasury and to the Committee, one point in the clause which he thought had been entirely overlooked, and he could only suppose that it was never intended; but if his interpretation was the right one he feared it might lead to the greatest possible inconvenience, and to the total stoppage of the export trade from Ireland to England. The clause gave the local authority certain powers to declare a place infected with pleuro-pneumonia; and if the local authority were satisfied that the disease was in a particular place, they were bound to declare it an infected place. In the port of Cork they shipped from 50,000 to 60,000 head of cattle a-year, and they had a special cattle yard near the wharf. That yard was fitted up to receive the cattle for examination by the Government officer, and not a single head could be shipped unless it passed through the yard. The cattle were regularly examined by a veterinary surgeon, appointed under the sanction of the Privy Council, and the moment they left it, the place was disinfected and swept as clean as the floor of this House. And yet—if he was right in his construction of this clause—if the local Inspector stopped a beast, and, on examining it, found that it had pleuro-pneumonia, it was instantly sent away and killed; yet the fact of pleuro-pneumonia having been in the place at all made it necessary under this clause for the local Inspector to report the fact to the local authority, and the effect would be that the whole yard would be placed under absolute prohibition. From that time no beast could go in there, and not a single head of cattle could be shipped until the Privy Council chose to say—perhaps a week after—that they did not think that this was a place to come under the operation of the clause; and, during that week, 5,000 or 6,000 head of cattle would be debarred from exportation, and the trade absolutely disorganized. He did not wish to delay the Committee, but he submitted that he was perfectly justified in pointing out to the Committee and to the hon. Baronet the Secretary to the Treasury the consequences which might ensue if this clause were not looked into.

Mr. MUNDELLA said, that if they were to omit from the Amendment the words "adjoining or near," which were exceedingly vague, and substitute the words used in Section 34 of the Act of 1869, "other lands or buildings contiguous thereto in the same occupation," he thought the whole difficulty would be met. That would make the Bill uniform with existing legislation. It would place this Bill and the Act of 1869 on all-fours, and there had been no complaint that he was aware of respecting the latter Act in this particular.

Mr. NEWDEGATE said, he thought that the difficulty might be met by the omission of Sub-section 7. The previous sub-section effected the whole object that was aimed at by providing that in the event of a local authority including some place within the jurisdiction of another local authority, the local authority whose district was invaded should have an appeal to the Privy Council. He thought Sub-section 7 might very well be spared.

Question put.

The Committee *divided:*—Ayes 144; Noes 33: Majority 111.—(Div. List, No. 225.)

Clause *agreed to.*

Clause 17 (Declaration or extension of infected place in pleuro-pneumonia by Privy Council) *agreed to.*

Clause 18 (Declaration of infected district in pleuro-pneumonia by Privy Council) *agreed to.*

Clause 19 (Rules for pleuro-pneumonia) *agreed to.*

Clause 20 (Declaration of freedom from pleuro-pneumonia) *agreed to.*

Clause 21 (Slaughter in pleuro-pneumonia, and compensation out of local rates).

Mr. CHAPLIN moved, in page 8, line 27, at beginning, to insert the words "The Privy Council, or." He said that the Bill already gave the Privy Council power to declare a place infected, power to declare the limits of that place, and power to declare a district infected. Besides that, powers of all kinds were given to the Privy Council; and he thought that they ought also to have the power of slaughtering cattle affected with pleuro-pneumonia.

Mr. J. W. BARCLAY said, he thought the theory of the Bill with regard to pleuro-pneumonia was that the Privy Council should only interfere on the local authority failing to do its duty. But this Amendment placed the same duty on the Privy Council for all purposes, and created a double responsibility, and, if agreed to, might induce failure in both directions. If the Amendment was to be made effective, it should be worded to the effect that if the local authority failed to do its duty within two days, then the Privy Council should intervene. He should deprecate any division of responsibility in the first instance between the two bodies.

Sir HENRY SELWIN-IBBETSON said, he was afraid he could not accept the Amendment, which conflicted with the whole principle on which they had been acting.

Amendment, by leave, *withdrawn.*

Mr. LYON PLAYFAIR moved, in page 8, line 27, to insert—

> "The Privy Council under such safeguards as they deem fit may authorize experiments to be made in a district declared to be infected with pleuro-pneumonia with the view of giving protection to healthy animals, and may, for such purpose, authorize the retention and removal of live animals affected with pleuro-pneumonia."

He said, his Amendment had the same object in view as Clause 29 of the Government Bill, and there was, therefore, no difference between them as to the intention. The only point which he wished to have brought out clearly was whether, in the opinion of the legal authorities, the clause as it stood would meet the case? The French Government had had a Commission for making experiments by inoculating animals affected with pleuro-pneumonia, and had spent £25,000 in pursuit of that inquiry. They found that the animals so inoculated with pleuro-pneumonia were protected from taking the disease, but that in the process 2 per cent of them died; and that mortality being equal to the mortality from pleuro-pneumonia, taking all the country together, they had been forced to the conclusion that there was no use carrying out such a system of inoculation. In Australia, also, experiments had been carried out; and in this country, too, there had been experiments on a smaller scale and on a different plan—namely, by inoculating the matter into the vein under the skin, and so at once getting the matter into the circulating blood. The animals thus experimented on in this country had shown no signs of the disease—or, at any rate, in so slight a form that it was impossible to detect any constitutional disturbance—although they had been kept close to animals which were undoubtedly affected with the disease. But these experiments had been tried on too small a scale to establish anything like a principle. Only eight or ten animals had been tried. At the same time, it would be a thousand pities if, by any measures of Parliament, they were to prevent such experiments, which might enable them to decide whether pleuro-pneumonia could be prevented by simple means. He therefore hoped that the Government would coincide with him in his desire to allow such experiments under such safeguards as the Privy Council might deem sufficient; and his only doubt was as to whether Clause 29 might or might not be sufficient for the purpose. He, yesterday, asked the Secretary to the Treasury to consult the Legal Advisers of the Government in order to see whether Clause 29 as it stood would answer all the purposes he had in view in moving this Amendment.

Sir HENRY SELWIN-IBBETSON said, he had consulted the Legal Advisers of the Government on the point, and their opinion was that all the objects contemplated by his right hon. Friend would really be met by Clause 29. His right hon. Friend was aware that under Clause 29, power was reserved to the Privy Council to keep animals on farms or places where the infection broke out for the purposes of experiment and for the treatment of the disease. He had no wish at all to prevent any such experiments. He believed it might be very much in the interest of science that such experiments should be made, and the promoters of the Bill—that was, the Government—believed they had provided all that was necessary in that respect by inserting Clause 29. If his right hon. Friend considered it necessary to insert additional words, he should not object; but he believed those already in the Bill to be sufficient. In any case, however, he should object to the word "removal" in the latter part of the Amendment, as he believed that the use of that word might open the door to the removal of animals in a way that would spread the disease.

Amendment, by leave, *withdrawn.*

Mr. SYNAN moved, in page 8, line 28, after the word "days," to insert the words "or such other time as Inspector may order." He said that different cases of pleuro-pneumonia were differently treated, and he thought some discretion ought to be left to the Inspector. No harm could be done, and some good might be done, by giving some discretion as to treatment. He, therefore, moved his Amendment.

Sir HENRY SELWIN-IBBETSON said, he thought the Committee ought not to accept the Amendment of the hon. Member. There were already exceptions reserved to the Privy Council, who were the proper authority to deal with questions of treatment, and the great object they had in view was to stamp out the disease as quickly as possible. He thought, therefore, that it would be unwise to allow the Inspector any discretion in deciding upon the time during which an animal affected with the disease was to be kept before being slaughtered.

Amendment, by leave, *withdrawn.*

Mr. ANDERSON moved, in page 8, line 30, to leave out the words "may, if they think fit," and insert "shall." He said, he thought his Amendment would test the sincerity of those hon. Members who said the farmers were willing to submit to all reasonable restrictions in regard to the home trade. The Bill provided that in cases of cattle plague the Privy Council should slaughter animals that had been in contact with other animals affected with that disease; but in cases of pleuro-pneumonia a different system was pursued. In the latter case, it was left entirely to the discretion of the local authority. The result would be that this disease, incubating sometimes for a period of 56 days before it was discovered, would have infected the whole of the herd with which the diseased animal had been in contact. Notwithstanding that, they were not to be killed, and thus every animal of the herd became a centre of disease. If the object of the Bill really was to stamp out disease, there was no way of doing it but by ordering peremptory slaughter in such cases.

Mr. CHAPLIN said, that if the hon. Member really thought that his Amendment would test the sincerity of those who said that the farmers were ready to accept all reasonable restrictions, he was afraid he would be disappointed, for this was not a reasonable restriction. On the contrary, it was a most unreasonable one. Cattle plague and pleuro-pneumonia were two widely different things. Animals hardly ever recovered from cattle plague; from pleuro-pneumonia they constantly recovered. He therefore thought that the restriction was one which the Government ought not to accept.

Mr. CHAMBERLAIN said, he entirely agreed with the hon. Gentleman the Member for Mid-Lincolnshire (Mr. Chaplin). He was of opinion that such an extreme measure as compulsory slaughter ought not to be adopted in any but extreme circumstances. Cattle plague was an extreme circumstance, and there, he was afraid, they must resort to compulsory slaughter in every case. But pleuro-pneumonia was entirely different; and, with respect to that disease, it appeared from what they had heard that night, that there was reason to hope that the resources of science might be equal to the emergency, and that sooner or later some certain cure would be discovered.

Mr. STARKIE said, an instance had come under his own observation, in which a farmer, who was also a butcher, slaughtered an animal affected with pleuro-pneumonia, and yet not another animal of the herd with which it had been associated was afterwards similarly affected. With such an instance within his own knowledge, he could not consent to a proposal for the compulsory slaughter of a whole herd because one of the herd had been affected with pleuro-pneumonia.

Mr. J. W. BARCLAY said, pleuro-pneumonia was very different when the disease broke out upon a farm to when it broke out among a cargo of foreign cattle. If, in the latter case, an animal was discovered to be infected, it was impossible to keep the remainder of the cargo for 56 days to determine how many of them had been infected on the voyage. In the case of home cattle, however, it was quite a practical proceeding. This explained the different treatment in the two cases, without imputing any partiality.

Sir HENRY SELWIN-IBBETSON could not accept the Amendment, and the reasons given appeared to him sufficient.

Mr. ANDERSON said, as the hon. Member for Forfar (Mr. J. W. Barclay) was the only Member of the bucolic party who had shown any sincere desire to impose such restrictions upon the home trade as would be effective, and as he disapproved of the Amendment, he (Mr. Anderson) would not press it upon the Committee. But, at the same time, if it was intended to stamp out disease —and that was the ground taken up by Professor Brown, and others—he maintained it could not be done except by slaughter.

Amendment, by leave, *withdrawn.*

Mr. SYNAN moved, in page 8, line 31, after "herd," to insert "being in the same field or place." The use of the word "herd" might have a very wide application, and might be understood to refer to the whole of the cattle on a farm. A herd might be a large one, and spread over several fields; and he could not suppose it was intended to include the whole number. He proposed, therefore, the insertion of the words given.

The CHAIRMAN pointed out that there was another Amendment standing in the name of the hon. Member, and which he would be precluded from moving should he now pass it over.

Mr. SYNAN said, it was not his intention to move that; but it was in order to define the number of cattle he made his suggestion, and with the same object he intended further on to move that the number of cattle should be indicated by the Inspector.

Sir HENRY SELWIN-IBBETSON said, this sub-section of the clause was to give a discretionary power to the local authority to decide what number of cattle should be slaughtered if disease broke out amongst the herd. He did not think the use of the term "herd" would have the effect suggested, or that it would be necessary to adopt the words proposed.

Mr. J. W. BARCLAY pointed out that it was a discretionary, not a compulsory, power to be placed in the hands of the local authority, and there was not the slightest risk of their carrying their power too far.

Amendment *negatived.*

MR. SYNAN then moved the insertion, in the same line, after the word "or," the words "so many of the cattle as the Inspector may order." To this, in his mind, there seemed no objection; but he did not know the opinion of the Secretary to the Treasury.

SIR HENRY SELWIN-IBBETSON said, the introduction of the words, though they did not materially alter the sense, at all events did not improve the English, of the clause.

Amendment, by leave, *withdrawn.*

MR. CHAPLIN moved, in page 8, line 33, at beginning, to insert "the Privy Council or." His object was to provide the compensation for animals slaughtered for pleuro-pneumonia out of monies voted by Parliament, instead of from the local rates. It was quite clear that, if pleuro-pneumonia was to be effectually stamped out, a great number of animals must be slaughtered. He had heard of a great number of outbreaks, and so, as the Bill stood, a large amount for compensation would fall upon the local rates. He commended this to the attention of the hon. Member for South Leicestershire (Mr. Pell), who was Chairman of the Taxation Committee. He remembered that at the time the Conservative Party were not in the fortunate position they now occupied, a Resolution was brought forward, asserting—

> "That it was unjust to impose taxation for national objects on one description of property only."

That Resolution was introduced by an hon. Baronet now on the Treasury Bench (Sir Massey Lopes). He (Mr. Chaplin) did not suppose he would have the adhesion of hon. Gentlemen opposite, who objected to the payment of compensation out of Imperial funds; but unless it could be shown that when slaughter for pleuro-pneumonia was insisted upon it was not in pursuance of a national object, then he was entitled to claim the support of the right hon. Gentlemen below, and those who voted for the Resolution in 1872. He relied, also, on the support of the Chairman of the Local Taxation Committee.

SIR HENRY SELWIN-IBBETSON said, with regard to compensation, there was a distinct difference between the slaughter of cattle for cattle plague and slaughter for pleuro-pneumonia. If it had been proposed to charge compensation in respect to the latter disease upon the Imperial funds, that proposal could only be justified by the adoption of the same precautions as were practised in cases of cattle plague. That was, that officials of the Government, directed by the Privy Council, should undertake the management of the disease and the slaughter of animals infected. It was not thought right to charge the compensation upon the Imperial funds when the slaughter of animals was left to the discretion of the local authority. That was the reason Government had for drawing the clause, and why he could not allow the Amendment of his hon. Friend.

MR. PELL said, his hon. Friend had referred to him and to that famous Resolution brought in some years ago. In quoting that Resolution, the hon. Member for Mid-Lincolnshire (Mr. Chaplin) had left out a passage at the end, which contained something more specific, and distinctly raised the position as to when charges should fall on the Exchequer and on local rates. He had observed most faithfully the terms of that Resolution, and he had resisted every attempt at the application of funds from the Exchequer to other objects, such as a direct grant for the maintenance of roads, just as he did now when it was sought to take compensation from Government money for the slaughter of animals having pleuro-pneumonia. And there was another reason against the proposal. In the case of rinderpest, that was a foreign disease, and the State took upon itself to stamp it out. At the present moment, they had not got the disease in England; and if the State acted with rigour and discretion it would be kept out, or if admitted, be confined to such narrow limits that no very large charge would be imposed upon the Imperial Exchequer. But if the proposal of his hon. Friend were accepted, there was reason to apprehend a good deal of jobbery. There would be no end of applications made for public money, and some difficulty in distinguishing between ordinary lung complaints and pleuro-pneumonia. The country would have to be covered with Veterinary Inspectors, and there would be a heavy expense, not commensurate with any benefit owners might derive from the acceptation of the Amendment. He hoped his hon. Friend, with whom he usually acted in concert, would be good enough to withdraw his Amendment.

Mr. MUNDELLA said, a short time before the hon. Member for Mid-Lincolnshire (Mr. Chaplin) deprecated the protraction of the debate; it was to be hoped, therefore, he would consent to withdraw.

Mr. CHAPLIN said, if he thought there was the slightest prospect of success he would press his Amendment. As, however, the hon. Member for South Leicestershire (Mr. Pell) withheld his support, he had little hope of sufficient support from the rest of the Committee, and a division would be an useless waste of time. Still, he wished to place on record his individual opinion that when the slaughter of animals was for a national purpose, Members on that side of the House would be true to their principles, if they inserted his Amendment in the Bill. On the other side, an opinion had been declared, that only when the amount was a large one should it fall on the local rates.

Amendment, by leave, *withdrawn.*

Mr. CHAMBERLAIN moved the omission of the words "the local rate," from line 33, and the insertion of the words—

> "A special rate, to be assessed and levied in the nature of a capitation or poll-tax, according to the number of cattle possessed by any person within the county at the time of slaughter."

He had not put this Amendment down in the first instance, because he anticipated that the decision of the Committee upon the first would settle the other cases raised. He did not wish to trouble the Committee with a repetition of his arguments; but, in the course of the earlier discussion, many hon. Members —among them, he thought, the hon. Member for South Norfolk (Mr. Clare Read), and certainly the right hon. Gentleman the Member for Bradford (Mr. W. E. Forster)—accepted those arguments, but objected that pleuro-pneumonia and foot-and-mouth disease differed materially from cattle plague, and he would be glad to give those hon. Gentlemen the opportunity of voting with him now. The hon. Member for South Norfolk said the proposal was a fair one to make in respect to diseases having their origin in this country, but would not be a fair law dealing with cattle plague, a disease which always came in from other lands. It was not to be supposed he was alluding to pleuro-pneumonia and foot-and-mouth disease, for these had been so long in the country that they might be considered permanent here. Probably many hon. Members were absent when his previous Amendment was under consideration, and a few words might be permitted to show the grounds of his contention. He contended—and, unfortunately, he had been misunderstood by the hon. Member for Mid-Lincolnshire (Mr. Chaplin)—that in no other case was there a precedent for compensation being given for the result of an accident, or for a visitation of Providence; and he had mentioned that if the General Omnibus Company lost all its horses from an epidemic, there would be no claim allowed on the public fund, as an illustration of his statement. It was an illustration in point; but when the hon. Member said—"Suppose the horses of the General Omnibus Company were requisitioned for State service, would there not be a fair claim for compensation?" Certainly there would; and he would be the first to demand it as their due. But to be a parallel case the cattle must be healthy cattle, and requisitioned for the use of the Army, or other Government purposes, and then he would agree full value should be paid. The next point in his argument was, that in no case did the Legislature allow compensation where it imposed obligations on individuals; and he had given the Education Act as an instance, where an obligation was imposed upon individuals for the benefit of the community, yet the community did not compensate individuals, but the latter were required to pay the cost of the obligation imposed upon them. Another instance was found in the Mines Regulation Act, where new obligations were imposed upon a particular class of tradesmen; but they were not, therefore, compensated by the State. If his view was right, then no case could be made out for compensation to farmers, unless on the ground of payment for service rendered. It could not be made out that the animals slaughtered would live after taking the disease; and if not slaughtered, they would be a source of danger to the remainder. The only plea on which the case could be sustained was that of payment for early information, so that the authorities might take measures to prevent the spread of disease. The taxation, then, should fall upon the owners of cattle. Sooner or later the cost would come out of the pockets of consumers; but, in the first instance, the burden should be borne by those most interested.

MR. W. E. FORSTER said, before the Question was put, as he had been alluded to, he desired to say that he did not vote for the Amendment on the previous division, and he should not do so now. The principle was just; but he could not see how it could be carried out at present. If compensation reached a very large amount, Parliament might be obliged to apply the principle.

MR. MITCHELL HENRY hoped the hon. Member would be satisfied with having made his speech a second time. True, some Members had not been present on both occasions; but he had, and so had many more. Having repeated his speech, he hoped the hon. Member would be content without a division.

MR. CHAMBERLAIN did not wish to put the Committee to the trouble of dividing; but he claimed from hon. Members the courtesy of an answer.

MR. CLARE READ said, as he had been referred to, he would say that as to the previous Amendment of the hon. Member, he thought his argument could not apply, and even in this Amendment was extremely bad.

MR. CHAPLIN thought the argument of the hon. Member turned upon the definition of what was "a visitation of Providence." He called compulsory slaughter a visitation of Providence; but he (Mr. Chaplin) regarded it as a visitation of the Privy Council.

MR. MUNDELLA said, earlier in the evening, he had heard statements from the other side that cattle plague was an imported disease, but that pleuro-pneumonia and foot-and-mouth disease were indigenous. The hon. Member for Birmingham (Mr. Chamberlain) had accepted the distinction; and when it was said that he had made his speech before, it must be remembered he applied his arguments to a different disease. It might be said that the late Mr. John Stuart Mill made the same speech before; and it was to be regretted that the principles he inculcated had not taken a stronger hold in the House. He (Mr. Mundella) felt quite sure that, with the exception of this class, no manufactures would be allowed to have the advantage of this system of compensation. The production of beef for the market was as much a manufacture as that of iron or of calico; and those engaged in the trade should accept the losses and contingencies just the same. He hoped his hon. Friend would go to a division, for the principle could not be impressed too strongly.

Amendment, by leave, *withdrawn.*

SIR HENRY SELWIN-IBBETSON moved, in page 8, after line 33, to insert the words—

"(3.) The local authority shall out of the local rate pay compensation as follows for cattle slaughtered under this section:—

(i.) Where the animal slaughtered was affected with pleuro-pneumonia, the compensation shall be three-fourths of its value immediately before it became so affected, but so that the compensation do not in any such case exceed thirty pounds.

(ii.) In every other case the compensation shall be the value of the animal immediately before it was slaughtered, but so that the compensation do not in any case exceed forty pounds."

MR. J. W. BARCLAY moved to amend the Amendment, by leaving out from the words "section," in line 2, to the word "animal," in line 8, inclusive, in order to insert the words—

"Three-fourths of the loss arising from the slaughter of the animal, based on its value immediately before it became affected with disease, and, if not so affected."

According to the arrangement in the Government proposal, the compensation for the slaughter of an animal suffering from pleuro-pneumonia was fixed at three-fourths the value of that when healthy; and in the cases of animals slaughtered after being in contact with diseased animals, it was proposed to give the full value. If they made the compensation depend upon the absolute loss, compensating the owner by giving him three-fourths of the actual loss sustained—namely, the value of the animal before slaughter, less the proceeds of the carcase, he thought the farmers would receive ample compensation.

Amendment proposed to the said proposed Amendment,

To leave out from the word "section," in line 2, to the word "animal," in line 8, inclusive, in order to insert the words "Three-fourths of the loss arising from the slaughter of the animal, based on its value immediately before it became affected with disease, and, if not so affected."—(*Mr. James Barclay.*)

SIR HENRY SELWIN-IBBETSON could not accept the proposal of the hon. Member, as he did not think the definition of the loss contained in the Amendment was the proper one. The compensation was for the loss the owner would sustain, rather than for the value of the animal slaughtered.

MR. CLARE READ quite agreed with the principle enunciated by his hon. Friend (Mr. J. W. Barclay). In Norfolk they always compensated for the loss rather than the value. The feeling of the Committee was, he believed, strongly against this proposal; and he hoped his hon. Friend the Member for Forfarshire would not press it. The 29th clause authorized the Privy Council

> "to withhold compensation or other payment in respect of an animal slaughtered under this Act by their respective order, where the owner or the person having charge thereof has, in their respective judgment, been guilty, in relation to the animal, of an offence against this Act, or where the animal, being a foreign animal, was, in their respective judgment, diseased at the time of its landing."

The clause also provided that

> "if, in any case, the sum received by the Privy Council or the local authority on sale of a carcase exceeds the amount paid for compensation to the owner of the animal slaughtered, the Privy Council or local authority, as the case may be, shall pay that excess to the owner, after deduction of reasonable expenses."

MR. J. W. BARCLAY called attention to the fact that the proposal contained in his Amendment was a proposal which was recommended by the Committee of 1873, after their attention had been specially directed to the subject. His right hon. Friend the Member for Bradford (Mr. W. E. Forster) was Chairman of the Committee; and it reported that, in the interests of the farmers themselves, and also in the interests of the public, the compensation ought to be based upon the loss. There was no more difficulty in ascertaining the loss than in fixing the value of the animal. It was the practice now followed in Aberdeenshire and Forfarshire, and, he was informed, also in Norfolk, in all cases where animals were slaughtered in consequence of disease.

MR. W. E. FORSTER said, that as he understood the proposition, it went further than his hon. Friend had stated —namely, that in the case of an animal slaughtered in consequence of having been infected with pleuro-pneumonia, three-fourths of the loss, based on the value immediately before it became affected with disease, and, if not so affected, immediately before it was slaughtered — should be paid to the owner. He (Mr. W. E. Forster) thought that where an animal was compulsorily slaughtered which had not absolutely got the disease—considering that pleuro-pneumonia was a very curable disease, and it was by no means certain that all the animals on a farm would take it, the compensation, if awarded at all, should be the full value.

Question put, "That the words '(i.) Where the animal slaughtered' stand part of the proposed Amendment."

The Committee *divided*:—Ayes 236; Noes 34: Majority 202.—(Div. List, No. 226.)

SIR JAMES M'GAREL-HOGG moved, in page 8, after line 41, to insert—

> "(3.) A local authority may require the value of any animal slaughtered under this Act to be ascertained by officers of the local authority o by arbitration, and generally may impose conditions as to evidence of the slaughter and value of the animals slaughtered."

He thought it would be a wholesome thing to see that the owners of the animals slaughtered did not obtain more than their full value.

SIR HENRY SELWIN-IBBETSON could not consent to the introduction of these words. The Committee had already determined that a sum should be paid to the owners for the compulsory slaughter of an animal as an inducement to him to make known the existence of disease. If there was to be any doubt upon the point, the inducement would not be sufficiently strong. Such a stipulation as that proposed to be introduced did not exist in the old law, and one of the objects of amending the old law was to introduce an element of greater certainty.

MR. J. W. BARCLAY believed that the adoption of the Amendment would defeat the object of the Bill. It would certainly introduce uncertainty. The owners of the cattle would never know what compensation they would get, and would feel themselves at the mercy and discretion of the authorities.

MR. WHITWELL thought the Amendment was simply an amplification of the previous section, and enabled the authorities to ascertain the value of the cattle which, to a great extent, would depend upon the kind of cattle.

SIR JAMES M'GAREL-HOGG said, that as the Amendment did not meet with the approval of the Committee, he would withdraw it.

Amendment, by leave, *withdrawn.*

MR. MURPHY wished to point out to the Committee, before they passed the clause, that it might probably work an injustice. In 1876, an Act was passed for Ireland, giving somewhat analogous powers in cases of pleuro-pneumonia to those which existed in England, and requiring that the local authority should pay to the owner of the cattle the value of the animals slaughtered. By a Proviso introduced to one of the clauses of that Act, it was made applicable to ports of export in Ireland, and for a very obvious reason. If animals were found in Dublin, Cork, or Belfast, affected with disease, the local authority was bound to pay the value; but it was a manifest injustice for the locality to pay at the port of shipping for the value of an animal which might have been brought from some place 50 or 60 miles away. To meet that case of injustice, a Proviso was added, providing always it was proved that in respect of any animal for which compensation was required, it was brought within seven days into the Union solely for the purpose of being shipped, and that the owner had not been guilty of any act in contravention of the Orders of the Privy Council. In that case, the Chief or Under Secretary of State might order payment of compensation in respect of such animal. The present clause, as it stood, virtually repealed the Irish Act of 1876; but, unless it contained a Proviso similar to that introduced into the Irish Act, a manifest injustice would be done. It appeared to him that a Proviso to this effect should be added to the sections printed in the Bill in red letters. He would suggest that so much of Section 14 of the Cattle Diseases (Ireland) Act, as provided payment to the local authorities of the money disbursed by them under the said Act, should continue in full force and effect. He should be perfectly satisfied if the hon. Baronet the Secretary to the Treasury (Sir Henry Selwin-Ibbetson) would promise to give consideration to the facts of the case upon the Report.

SIR HENRY SELWIN-IBBETSON assented.

Amendment *agreed to.*

On Question, "That the Clause, as amended, stand part of the Bill?"

MR. W. E. FORSTER said, he wished, before the clause passed, as it was the last of the pleuro-pneumonia clauses, to ask a question of the Secretary to the Treasury as to the whole operation of these clauses. A "place" was to be declared, and also a "district;" but he thought there was an omission in the Bill in not defining what a district was. In Clause 9, there was a definition of a district which applied to Part II. of the Bill; but he did not take it that it went further. No such definition was given in regard to cases of pleuro-pneumonia; and, although power was taken to extend the limits of a district, there was no power to contract them. As the Bill stood, the whole of a county or of a borough would be a district for pleuro-pneumonia. He wished to ask the Secretary to the Treasury if that was his intention? If the clause and stipulations in the Schedule were carried out, no animal could be moved out of the county of Norfolk, for instance, if pleuro-pneumonia broke out in Norfolk. The same thing would apply to any animal coming into Liverpool, say from Ireland, infected with pleuro-pneumonia; no animal then could get out of Liverpool, except there were exemptions made which it would be very inconvenient to make. He wished to point that out. He had no desire to obstruct the Bill; but he considered this a matter which would have to be very seriously looked into; and he thought, also, that they ought to know about it, not to-night, but before they left Committee. They ought certainly to know what was intended to be the definition of the district for pleuro-pneumonia.

MR. J. W. BARCLAY considered it would be advisable to leave out districts for pleuro-pneumonia, and to make the Act more stringent as regarded places.

SIR HENRY SELWIN-IBBETSON said, the right hon. Gentleman the Member for Bradford (Mr. W. E. Forster) had asked him what was intended to be the definition of the word "district?" It would be left to the local authority to define what was a district, and what should be its limits and so forth. He would, however, look further into the matter, as the right hon. Gentleman had suggested; and before Report he thought he should be able absolutely to tell the right hon. Gentleman the meaning of district.

MR. W. E. FORSTER was sorry to persist, but he thought they must have an answer, not necessarily now, but before the Report. Perhaps they could get it when they came to the 27th clause, because they must, in Committee, try to settle what would be these regulations; and it was only fair they should know pretty thoroughly what was the nature of the home regulations, before they came to the foreign regulations. He thought the Secretary to the Treasury would find there was no power given to the local authority to define the district. There was a sort of limit given in Sub-section 9 of Clause 16, which made him think that the Government did not intend the district to be that which by the Bill it was defined to be, the whole county or borough. In Sub-section 9 of Clause 16, it said—

> "The local authority shall forthwith report to the Privy Council the declaration of the Inspector, and the proceedings of the local authority thereon, and shall state whether or not it is, in their opinion, expedient that an infected district, comprising the infected place, shall be declared, and, if so, what should, in their opinion, be the limits of that district."

He took it that the Act of Parliament gave them power to express an opinion, but not to define a district, if it was without the power of the Privy Council to comply with that opinion. Most certainly, as the Bill stood, there was only one definition of district. The Bill distinctly said—"Any district shall be as described by the Schedule;" and there was absolutely no power given to the Privy Council to make a less district than the district described.

Clause *agreed to.*

Foot-and-mouth Disease.

Clause 22 (Declaration of infected place in foot-and-mouth disease by local authority).

Mr. SYNAN moved, in page 9, line 3, after "place," to insert "not being a fair, or market-place, or wharf." He had already moved this Amendment on a previous part of the Bill; and he would really like to know what the opinion of the Secretary to the Treasury was in respect to it. It was for the purpose, more or less, of defining the word "place," and it had reference particularly to Ireland. If, in the case of Ireland, a "place" was intended to apply to a fair, the cattle trade of the whole country would be greatly endangered. By chance an Inspector, who might not be a professional person, might, on the morning of a fair, come to the place and declare a certain animal to be affected with foot-and-mouth disease. He could immediately serve a notice on the occupier of the close in which the fair was held, and that place at once became an infected district. What were they to do with all the cattle of that infected place? They could not be removed, and all because it might happen to be an ignorant Inspector who had declared an animal to be affected with foot-and-mouth disease. His Amendment was that a place should not include "a fair, market-place, or wharf," all of which stood in a like position. This was a difficulty which ought to be removed; and if the Secretary to the Treasury wished for time for consideration—say until to-morrow—he would be glad to postpone it; but he thought that it was too long to leave this subject until the Report.

MAJOR NOLAN strongly supported the Amendment, remarking that if "place" did include a fair, the great fairs of Ireland would be very injuriously affected. At the Ballinasloe fair there were something like 16,000 head of cattle; and if it was competent for an Inspector to declare the fair-ground an infected place, it would be impossible to know what should be done with this large stock. The whole thing would be reduced to an absurdity, the Privy Council would have to step in, the fair would be spoiled, and rents would be difficult to collect—in fact, the whole agricultural system of Ireland would be disturbed. There were other large and important fairs in Ireland, which it ought not to be in the power of the local authority to disturb in the way mentioned.

SIR HENRY SELWIN-IBBETSON said, the words were not necessary, inasmuch as such matters would practically be controlled by the Privy Council, Under these circumstances, the Amendment was unnecessary; and, therefore, he could not consent to it without further consideration.

MR. W. E. FORSTER was sorry to say that left them completely in the dark as to what the Government intended to do in regard to foot-and-mouth disease. The Government had said, in reference to the treatment of foreign animals, that they meant to regulate the slaughter according to the prevalence of disease—including foot-and-mouth disease—in the country exporting the cattle; and they had acknowledged that they did not intend to do that except, at the same time, regulations were made at home. They must know, in such a very important matter as this, what the regulations were to be. If the Committee would refer to the evidence of Professors Brown and Simonds, they would find these gentlemen at once went to the difficulty of a market; and they said that one great difficulty in stamping out foot-and-mouth disease would be to know how to deal with it when it was found in a market. The hon. Gentleman the Member for South Norfolk (Mr. Clare Read) was perfectly aware of that difficulty, because both in the House and out of it he had dealt with it; he had said he was so aware of it that he would be inclined to stop the market at Norfolk if disease broke out there. He (Mr. W. E. Forster) wanted to know what the Government intended to do in this matter—whether they intended that a market was to be an infected place as regarded foot-and-mouth disease, if so declared by the local authority? If the hon. Gentleman the Secretary to the Treasury would leave absolute discretion to the Privy Council as regarded foreign animals he would support him; but the Amendment the hon. Gentleman (Sir Henry Selwin-Ibbetson) had put down provided that, in case of animals coming from a foreign country, the Privy Council was to act accordingly as foot-and-mouth disease prevailed in that country. He desired to be informed whether the Privy Council were to act accordingly as it was prevalent in a market-place or on a wharf? This was a matter which ought to be explained with as little delay as possible; and he agreed with the hon. Gentleman who had moved the Amendment (Mr. Synan), that it was too long to wait until the Report before an explanation was afforded.

THE O'CONOR DON said, the hon. Gentleman the Secretary to the Treasury had said, he did not see any necessity for this Amendment. Did he see any objection to it? Either the Government intended that the word "place" should include market-place or fair, or they did not. If they did not intend that a market-place, or fair, should be included, what objection could there be to adopting the words of his hon. Friend, which would make the point clear? To him there seemed to be a doubt about it, otherwise the Government would adopt the Amendment.

MR. PAGET, in order to meet the difficulty, suggested that after the word "place," the words should be inserted which were to be found in Sub-section 7 of Clause 26—namely—"in the possession or occupation or under the control of the owner of the animal." If those words were inserted, it would make it perfectly clear what the meaning of the word "place" was. As there was an Amendment before the Committee, he would suggest that it should be withdrawn; and he ventured to think that the acceptance of the words he proposed would have the effect that was desired.

MR. ANDERSON said, the suggestion made by the hon. Gentleman did not put matters in a better position than the Amendment of the hon. Member for Limerick (Mr. Synan), inasmuch as it had the same object — namely, the exemption of fairs and markets from the control of the Inspector. It had been said that it was quite as important that the regulations in respect to foot-and-mouth disease should be as strict as those in reference to pleuro-pneumonia, and that local Inspectors should have power to act where it was found to exist. Hon. Members from Ireland began to think that the Bill was going to pinch them, and now they wanted matters to be arranged in their favour. No English or Scotch Member had attempted to obtain an exemption for English and Scotch fairs and markets; and he did not think it proper that there should be an exemption given to Irish fairs. The three countries ought to be dealt with alike; and he was of opinion that the Irish Members would do well to accept what the English and Scotch Members were willing to accept for England and Scotland.

Sir HENRY SELWIN-IBBETSON reminded the Committee that, on previous occasions, the hon. Member for Limerick (Mr. Synan) had consented to withdraw his Amendment similar to the present one, on his (Sir Henry Selwin-Ibbetson) promising to move it on Report if he was convinced of its advisability. Under those circumstances, he could not consent to the alteration now proposed; but he would do with regard to it as he had said he would do with respect to the other Amendments. The right hon. Gentleman the Member for Bradford had said that the Committee must know what the Privy Council were to do. He would remind the Committee that the effect of the right hon. Gentleman's argument up to one portion of the Bill was to trust implicitly in the Privy Council; but, as soon as trust was placed in the Privy Council, the right hon. Gentleman turned round and said—"We must know what the Privy Council has to do." The right hon. Gentleman compared the action of the Government with regard to foreign animals and the home trade. There was a considerable difference between dealing with disease in a foreign country over which they had no control, and a country which was absolutely under their control. In the case of foreign trade, where they had no means of following what was happening in a particular district, they did require greater knowledge of what was happening than they did in the regulations dealing with the home trade. Although he considered the clause sufficient to meet the case, he would promise to consider the matter.

Sir HENRY JAMES said, that as the Bill now stood it was perfectly contradictory, and there must be a determination by the Government which course they intended to take. Until the definition of "place" was afforded by the Government, the Committee were reasonable in pressing their request. The hon. Member for Limerick very properly desired that a fair, market-place, or wharf, should be excluded from the meaning of the word "place." If his Amendment was not carried, without doubt, place would include "fair, market-place, or wharf." The statements made by the hon. Baronet did not go to hoist the authority of the local authority under Clause 22. Express authority had been given to the local authority to perform particular duty in Ireland; and they would not successfully hoist their jurisdiction by giving general power to the Privy Council to make general rules and regulations. If the Government desired to be consistent, they must accept the Amendment of the hon. Member for Limerick.

Mr. NEWDEGATE said, that under the law at this moment local authorities could close fairs and markets, and he could not see with what object such a power could be taken away. Instead of taking the power away, the exercise of that power should be made compulsory by the Privy Council. He had heard nothing inconsistent with the local authority being so armed in what had fallen from Her Majesty's Government. He could see no reason for exempting Ireland—and what was necessary for England was equally necessary for Ireland—and no case had been made out to exempt the latter country from provisions already in force here.

Mr. SYNAN was quite willing to give full power to the Privy Council.

Major NOLAN saw no objection to the Privy Council having authority; but the powers were too large to be placed in the hands of the local authority. The hon. Member for Glasgow (Mr. Anderson) said, why not agree to what had been done in England and Scotland? and, so far as markets were concerned, there was a good deal of sense in that, for Irish markets were not more important than those of England. But when fairs came to be considered, then the case was very different, and the Irish system was ten times as important as the English. That was the reason the Amendment was pressed. Not only would the whole agricultural system, but almost the social system, would break down, if fairs were stopped. Indeed, he did not know how he should face his constituents if fairs, such as that of Ballinasloe, were stopped, and had not done his utmost to prevent it. They would consider that one of the most important interests with which he had been charged had been neglected. He hoped, therefore, the Amendment would be pressed. If the Privy Council held the power, and, after hearing the evidence as to the presence of foot-and-mouth disease, came to the determination to stop the fair, well and good; but if the power was vested in the local authority, it would lead to the greatest confusion in Ireland.

SIR HENRY SELWIN-IBBETSON called the attention of the hon. and learned Member for Taunton (Sir Henry James) to a clause which he appeared to have overlooked. He referred to Clause 26, which gave the Privy Council power to override the authority of the local authority. The 3rd and 4th sub-sections provided that, from time to time, the Privy Council might, by Special Orders, control the action of the local authorities in cases where cattle were

> "exposed for sale, or exhibited in a market, fair, sale yard, place of exhibition, or other place; or while placed in a lair, or other place, before exposure for sale."

And then the section went on—

> "The Privy Council shall, by General Orders under this section, from time to time make such provisions as they think fit for the consequences under this Act."

As he understood the clause, this would distinctly override the action of the local authority.

SIR HENRY JAMES knew that nothing was more distasteful to the House than a legal discussion; but if the Bill was to be framed, words must be discussed, and unless they gave up their functions, the discussion could not be avoided. He could not agree with the Secretary to the Treasury, whose explanation did not seem to meet what had been pointed out by the hon. Member for Limerick (Mr. Synan) and the hon. and gallant Member for Galway (Major Nolan), that local authorities might walk into a fair and exercise their power at once, after receiving the declaration of their Inspector. The Secretary to the Treasury had referred to the action the Privy Council might or might not take. This was not sufficient to override the local powers, with whom, when once the declaration of their Inspector was received, action was immediate. What the hon. Baronet referred to — that the Privy Council might, from time to time—[SIR HENRY SELWIN-IBBETSON: Should.]—he (Sir Henry James) was reading from Section 3—

> "The Privy Council may, from time to time, by Special Orders under this section relating to particular places, make such provision as they think fit for the consequences aforesaid with regard to those places."

But suppose the Privy Council did not interfere? The hon. Baronet wished to refer to Sub-section 3, but that gave the powers to make General Orders for all places suspected of disease. That was a General Order, not a Provisional Order. An Inspector might go into a fair and exercise his jurisdiction before the Privy Council could act. In that way he submitted the explanations of the Secretary to the Treasury did not meet the objections raised.

SIR WALTER B. BARTTELOT was anxious that his hon. Friend should state what was the intention of the clause. What he wished to know was, had the local authorities the power to stop fairs or markets? In dealing with this clause he desired to have that distinctly stated. His hon. Friend said there would not be that power; then, if so, why not introduce words having clearly that effect? If that power rested solely with the Privy Council, then local authorities would understand what they were about. He also wished to hear an explanation of words of an ominous import which fell from the hon. Gentleman in reference to Ireland. He insisted that England and Ireland should be placed on exactly the same footing as regarded foot-and-mouth disease.

MR. DODSON thought the force of Clause 22 had not been seen quite. There seemed to be an impression that there was a discretionary power placed in the local authority; but he did not think the section covered that meaning—

> "Where it appears to an Inspector of a local authority that foot-and-mouth disease exists, or has within ten days existed, in a cowshed, or other place,"

—which, as he understood, meant fair or market—

> "he shall forthwith make and sign a declaration thereof. He shall serve a notice, signed by him, of that declaration, on the occupier of that cowshed, field, or other place; and thereupon that cowshed, field, or other place shall become and be a place infected . . . . and the local authority, if satisfied of the correctness of the Inspector's declaration, shall proceed to deal with this place as infected."

This was imperative—the word was "shall," and the place, be it fair or market, became a place infected. No optional power being given, it must be done; and then the place was left to the mercy of the Privy Council, who might, under Clause 26, release the place from the ban. If it was not so, then the case was worse than he supposed; and he should like to hear the hon. Gentleman's explanation. Would the 26th clause give the Privy Council power to override the local authority or not? [Sir HENRY SELWIN-IBBETSON: Yes, beforehand.] He (Mr. Dodson) would be glad to know the section of the Bill under which that took place. As he read the 22nd clause, the power was compulsory on the local authority.

SIR HENRY SELWIN-IBBETSON was sorry he had not made his meaning distinct. He understood the case thus—As soon as the Bill became law, the Privy Council were bound by Clause 26 to make, as soon as possible after the passing of the Act—which meant immediately—General Orders dealing with several things, one of these being what should be done in the case of animals exposed in markets, fairs, or places of exhibition. Those Orders, when made, were to have full effect, notwithstanding other provisions in the Bill. Then, to come to Clause 22. Under that clause the Inspector would have the power to declare, or must declare, when any place was infected, subject to his other instructions, to the local authority. But Clause 26 distinctly overrode the action under Clause 22 under certain cases, and the Orders of the Privy Council would guide the Inspector.

MR. W. E. FORSTER said, the Committee had got into a legal debate, and he could not help thinking his hon. and learned Friend the Member for Taunton (Sir Henry James) was correct in his view. But to go off on the question of policy. The Secretary to the Treasury said that absolute discretion was given to the Privy Council in the matter. If the discretion in regard to foot-and-mouth disease were the same as that in force for the foreign trade, he would be quite content to leave it there; but he did not think it was fair that they should be told by the Government that the foreign regulations depended upon the home regulations, and that Government should avoid giving information of what they would do in one of the most important of home regulations. He was sure the Secretary to the Treasury would not deny, or the hon. Member for South Norfolk (Mr. Clare Read) dispute, the statement, when he said that whether they did or did not get rid of foot-and-mouth disease depended as much as anything what was done in reference to the disease when discovered in markets. The Secretary to the Treasury said, trust to the discretion of the Government; and he replied, did the Government mean to interfere with fairs and markets? Then they were to wait until Clause 26 was reached, and then for the issue of the Privy Council Orders. He did not know what was going to be done; and he fully believed the reason was that Government had not, in the slightest degree, made up their own minds how they would deal with markets, or knew, in the slightest degree, what direction their action would take. He did not ask for a definite statement; but he wished to know if markets were or were not to be interfered with when foot-and-mouth disease was found? Unless strict regulations were to be made in this respect, the foot-and-mouth regulations might as well be struck out of the Bill altogether.

MR. CLARE READ said, there was no doubt whatever that cattle in fairs, markets, or in transit could not be dealt with as they could be treated at home. When the hon. Member for Limerick (Mr. Synan) and others spoke of Ireland being so different to England in the matter of fairs, he could not quite agree with that. There were large fairs held in England—at Barnet, for instance—and there were many others held in fields. What he wanted to know was, in what way fairs and markets were going to be treated? It certainly would be impossible to treat cattle under those circumstances as they might be treated on the farm. At the fair at Ballinasloe, and elsewhere, they could not be kept for even 14 days. The treatment must be different, and the question was, what was it to be?

MR. DODSON, after hearing the explanation of Clause 26, and the manner in which it was to be put into operation, could not understand the objection to the adoption of the Amendment to Clause 22; because, according to the Secretary to the Treasury, as soon as the Act was passed, the Privy Council would lose no time in making General Orders respecting its operation in fairs and markets, and those instructions would override Clause 22, so far as markets and fairs were concerned. If the action of the Inspector was to depend upon Orders in Council under Clause 26, he could not see what objection there was in accepting the Amendment that Clause 22 should not apply to fairs.

MAJOR NOLAN said, the effect of the clause would be to throw fairs in Ireland into a state of the utmost uncertainty and confusion. Where large fairs were held, at which, perhaps, there were as many as 16,000 cattle and 70,000 sheep, there was considerable preparation to be made. If these fairs were liable to be stopped at any moment, the greatest inconvenience and mischief would be the result. The cattle having been brought together, would be suddenly distributed again, harm would be done, and much uncertainty created. It appeared to him there should be a regulation requiring the authorities to give notice some days beforehand that the fair was not to be held. There should not be the momentary doubt of the fair being held; and it would be better to go on with the fair than to scatter the germs of disease about the country.

MR. CHAPLIN agreed with the right hon. Member for Bradford (Mr. W. E. Forster) and the hon. Member for South Norfolk (Mr. Clare Read), as to the necessity of knowing what was going to be the course adopted as regarded fairs. He thought it would be for the convenience of the Committee and the Government if the latter would give an undertaking to consider the question to-morrow, or when the 26th clause was reached.

SIR HENRY SELWIN-IBBETSON foresaw great difficulties in taking away the entire power of Inspectors to deal with fairs and markets. The 22nd clause was subject to the provisions of the 26th; but if the power were struck out absolutely from the 22nd, a difficulty would arise. The regulations issued might have reference to a particular fair, and the part of that fair might be set apart as infected, the rest of the animals being kept apart in some way. He was only suggesting that might possibly be one of the Orders. If any alterations were made, they should be made on Clause 26. The whole thing turned on the powers becoming statutory in that clause, and they would then override Clause 22. Much depended on the powers exercised under Clause 26, by which the power under Clause 22 would be remitted. The right hon. Gentleman said the Government should know what they proposed to do; but until there was a fair prospect of the Bill passing, it would be impossible to state. The Orders were not drawn; but they were under consideration, and before the Bill passed through Committee he hoped to be able to satisfy the right hon. Gentleman. But he maintained that the abstraction of the words as proposed would prevent the Inspector from carrying out the instructions he would receive in the Orders issued under Clause 26 with regard to fairs and markets.

MR. MURPHY said, if he understood the matter rightly, the addition of a few words to the 1st section of Clause 22 would carry out the idea of the hon. Baronet, and reconcile the Act with the principle it was intended to carry out. By the 1st section the Inspector was bound to make a declaration, being allowed no discretion whatever. But if it were true, as he was inclined to think it was, that the controlling words of Clause 26 would enable the Privy Council to override that—if that was so, what objection could there be to add to the end of the section a few words to that effect? The section might read thus—

> "Where it appears to an Inspector of a local authority that foot-and-mouth disease exists, or has within ten days existed, in a cowshed, field, or other place, he shall forthwith make and sign a declaration thereof, subject to instructions received from the Privy Council under section 4 of Clause 26."

If those additional words were put in, it would explain the matter. It would override the mandatory clause; make the local Inspector subject to Clause 26; and remove the conflict which appeared to exist between the 1st section and the powers of the Privy Council. He could not see how, as the clause stood, the local Inspector could escape from the mandatory clause. Supposing a fair was about to be held in Ireland, and that for two or three days previously cattle were sent from various parts for sale, it would be quite possible for two men acting in collusion to send a beast affected with foot-and-mouth disease into the fair field, and then give notice. So the fair might be stopped, and the cattle jobbers would be enabled to buy at short prices. Such a possibility might occur. He ventured to think that the introduction of the words he suggested at the end of the section would meet the point raised.

Sir HENRY SELWIN-IBBETSON could not venture to accept the words without consideration; but he was quite sure the Committee and himself had the same wish, and that was, to prevent fairs and markets becoming hot-beds of disease, and, at the same time, to avoid, as far as possible, interference with ordinary trade. With Clause 26, it was proposed to limit the action of the Inspector in dealing with fairs and markets. He might be authorized to deal with a part of the fair as an infected area. He was quite willing to consider words in the spirit and sense of those proposed by the hon. Member for Cork (Mr. Murphy), and bring them up on Report; but he could not consent to adopt the Amendment suddenly.

Mr. W. E. FORSTER trusted the Committee would not suppose he was acting in a spirit of obstruction to the Bill, when he moved that Progress be reported. They had met with a legal difficulty, and there was another difficulty in point of policy. They could not now go through the clause, for until it was known in what way the Government were going to act, it would be impossible to vote for the last Amendment proposed. Perhaps, after consideration, the Secretary to the Treasury would be able to furnish some information.

Motion made, and Question proposed, "That the Chairman do report Progress, and ask leave to sit again."—(*Mr. W. E. Forster.*)

Mr. STORER, before the Question was put, wished to know how, in the case of a fair, the occupier was to be defined, and he expressed a hope that the Government would not yield on the point raised.

Motion *agreed to.*

Committee report Progress; to sit again *To-morrow,* at Two of the clock.

METROPOLITAN BOARD OF WORKS (MONEY) BILL—[Bill 251.]

(*Sir Henry Selwin-Ibbetson, Mr. Chancellor of the Exchequer.*)

COMMITTEE.

Bill *considered* in Committee.

(In the Committee.)

Clauses 1 to 13, inclusive, *agreed to.*

Clause 14 (Board may raise money by bills).

Mr. THOMSON HANKEY moved, in page 6, lines 28 and 29, to leave out "two million three hundred and two thousand pounds," and insert "five hundred thousand pounds." The object was to limit the power of raising money for permanent improvements. It appeared to him that the whole clause was an extraordinary one, and he was sorry that the Metropolitan Board of Works should have thought it necessary to insert it. The only justification he could possibly understand was that it was inserted in the Bill last year; but that was no reason whatever. It was perfectly inconceivable to attempt to raise money for permanent improvements by borrowing at three, five, and 12 months. It was very undesirable to borrow the whole of this money at a particular moment. The state of the money market might be such that it would be highly inconvenient to borrow. They might borrow money on disadvantageous terms, and so put an additional tax on the Metropolitan ratepayers. It was left to the Metropolitan Board of Works whether they would borrow the whole of the money on bills of three or six months. Suppose the state of the markets to be favourable, money might be obtained extremely cheap. But securities of the kind they gave ought not to be issued for three or six months, without the possibility of repaying them. It was perfectly monstrous. The hon. and gallant Member (Sir James M'Garel-Hogg), who had joint charge of the Bill, said that it might be exceedingly convenient that a portion of this money should be so raised. If that were so, he should waive his objection as to the principle. He believed his present proposal would meet the views of the Secretary to the Treasury, and he, therefore, begged to move his Amendment.

Sir HENRY SELWIN-IBBETSON said, that the Bill was brought in by the Treasury under an arrangement with the Metropolitan Board of Works, and no objection was taken to it last year. He quite admitted the force of all that had fallen from the hon. Member (Mr. Hankey), and now that objection had been raised, he agreed with him that it would be far better to limit these powers in the way the hon. Member proposed to do. Some power of that sort existed, and it was in the interest of the ratepayers that money should be borrowed for a short period whenever it was not possible to raise the money on advantageous terms. The Metropolitan Board had to raise money compulsorily for carrying out these works; and it was quite possible that at the time they had to raise the money there might be difficulty in getting the money at a proper rate, and it might be advantageous to take short bills until the time was more favourable.

LORD FREDERICK CAVENDISH thought the Metropolitan Board of Works ought to be much obliged to the hon. Member who had brought this matter forward.

SIR JAMES M'GAREL-HOGG said, that not being really in charge of the Bill, but being in favour of it, he might say that after the advice that had been given, he should be glad to accept the Amendment of the hon. Member (Mr. Hankey). He might say that the Bill had been brought in for the last three or four years. Before that time the Metropolitan Board of Works came to Parliament and took power to raise money for carrying out improvements. The Treasury thought proper, a few years ago, to exempt the Metropolitan Board from carrying that out. The proposals now made brought before the purview of Parliament every year the whole of the liabilities of the Metropolitan Board. There was a statement of everything the Metropolitan Board had borrowed, and of the various improvements which had been sanctioned by Parliament. He should like to point out that, in former times, they could choose the time when they could raise loans. They were not obliged to go into the money market at a particular time, but could go in at any time they pleased that was advantageous. It was well known in the money market that the Metropolitan Board had to raise money every year, to carry out their works. The Board wished to obtain terms that were advantageous to the public at large; and, therefore, last year they went to the Treasury to ask for power to issue a certain number of short bills, so that they might take advantage of money being cheap, and need not go into the market. Hon. Members knew that there were such things as rigging a market, and knocking it down when a loan was expected; and that was disadvantageous to the public. Therefore, they sought power to issue these bills, in order to prevent the necessity of raising money in a manner that might be injurious to ratepayers. The Metropolitan Board of Works was not able to raise money by these bills without the consent of the Treasury, and they acted in the manner most advantageous to the public interest.

SIR UGHTRED KAY-SHUTTLEWORTH said, the hon. Member for Peterborough (Mr. Hankey) was entitled to the thanks of the House for calling attention to the subject. From what was said by the Secretary to the Treasury, it was quite clear the subject was not sufficiently considered last Session, when legislation took place of which he could not entirely approve. He should like to ask two questions whilst they were on this Bill. It was a new mode of raising money by the Metropolitan Board of Works. He wanted to know what security there was to prevent fraud on these bills? Another explanation he would like to be given was as to how the banking of the Metropolitan Board of Works was done? That was a subject which he thought ought to be more fully discussed by the House at some other time. It was obvious, from explanations given, that the Metropolitan Board of Works did not bank with the Bank of England. He had heard that the Metropolitan Board of Works had a very expensive system of banking. It was said that there was a large sum of money left at a certain bank by the Metropolitan Board which might as well be left at the Bank of England, and for which the ratepayers of London might have got a large sum of money. He should like some explanation as to the precautions proposed for preventing the fraudulent issue of these bills.

SIR HENRY SELWIN-IBBETSON would remind hon. Members that he was not responsible for the action under this

Bill last year. It was thought to be for the interest of the public that power should be given to allow the Metropolitan Board of Works to raise money in this particular way. He could not give any answer as to the banking account, because he had nothing to do with it.

SIR JAMES M'GAREL-HOGG thought the hon. Member who had used the term "fraudulent" could not have made himself acquainted with the facts. The bills were issued by the Board, and countersigned by the Treasury. He did not quite catch what the hon. Member said about banking account; but the facts of the case were these. They obtained interest for a certain portion of the money of the Board. Their bankers were the London and Westminster Bank. A great many rumours had been set about, and statements more than erroneous had got into the public prints. He had not taken the trouble to answer them; because, if he did, he might have nothing else to do. The London and Westminster Bank became the bankers of the Metropolitan Board of Works 10 or 11 years ago. That bank gave interest which the Bank of England did not. In one year the interest which the ratepayers of London received on deposits was upwards of £30,000. That was better than leaving the money idle at the Bank of England. He did not know whether the hon. Member wished for any further explanation; but, if so, he would be happy to give it.

Amendment *agreed to.*

Clause, as amended, *agreed to.*

Clauses 15 and 16 *agreed to.*

Clause 17 (Mode of Issue of Metropolitan bills).

MR. COURTNEY said, this was a clause which prescribed the forms and conditions under which bills were to be issued, and by what authority they were to be sanctioned. It appeared they were to be issued on the warrant of the Treasury; but it was not provided that any notice of this warrant should appear on the face of the bills, and the warrants would not be inseparably attached to the bills so as to become part of them. It was quite possible that bills might be issued by the Board without the warrant of the Treasury, or, at all events, without the observance of every prescribed formality. The bills were negotiable, and would probably pass into the hands of bankers without any warrant; and having no reason to suspect informality, the question would then arise, whether those who had taken them for value ought not to be protected, even though the bills had been irregularly issued? It might be that the Courts of Law would protect such holders without any express provision on their behalf, as it was the essential and distinguishing characteristic of a bill of exchange, that a person taking it for value, without notice of any equities binding it in the hands of the previous holder, held it discharged from these equities; but the point should be made clear. Those who took the bills *bonâ fide* ought to be protected, and their rights should be perfect. He did not wish to arrest the progress of the Bill on the present occasion; but he would ask whether, next year, words could not be inserted to protect the holders of those bills from loss by the bills having been irregularly drawn?

SIR JOSEPH M'KENNA hoped the Government would not assent to the proposal. Those who took the bills of the Metropolitan Board of Works, if they had been irregularly issued, ought not to have any greater facilities for recovering the amounts than those at present existing in analogous cases.

MR. J. W. BARCLAY could not agree with the observations of the hon. Gentleman (Sir Joseph M'Kenna), because the object was to enable the Metropolitan Board to get money at a cheap rate. In order to do that, it was necessary that their bills should be secure.

SIR JOSEPH M'KENNA simply wished that no more facilities should be given to the executive officials of the Metropolitan Board of Works than to those of any other public body to make irregular bills of exchange indefeasible securities.

Clause *agreed to.*

Remaining Clauses *agreed to.*

Bill *reported;* as amended, to be considered *To-morrow,* at Two of the clock.

TELEGRAPHS BILL—[*Lords*]—[BILL 257.]

(*Lord John Manners.*)

SECOND READING DEFERRED.

MR. WHITWELL wished to ask the Government whether they intended to proceed with the Bill? It had aroused strong feeling, and he would like to know whether the Government proposed to refer it to a Select Committee, or to go forward, or what course they poposed to take?

SIR HENRY SELWIN-IBBETSON said, he would be able to inform the hon. Member on Monday. He had not conferred with his noble Friend at the head of the Post Office (Lord John Manners), but he would refer to him upon the question that had been raised.

Second Reading *deferred* till *Monday* next.

VALUATION OF LANDS (SCOTLAND) AMENDMENT (*re-committed*) BILL.

(*Sir Windham Anstruther, Mr. Campbell-Bannerman, Sir Edward Colebrooke, Sir Graham Montgomery, Mr. Ramsay.*)

[BILL 205.] COMMITTEE.

Bill *considered* in Committee.

(In the Committee.)

On Question, "That the Preamble be postponed?"

MR. R. W. DUFF moved that the Chairman report Progress, because the Bill raised important questions as to the assessment of railways, besides other matters, and it was impossible to enter into them at that late hour.

Motion made, and Question proposed, "That the Chairman do report Progress, and ask leave to sit again."—(*Mr. Robert Duff.*)

SIR GRAHAM MONTGOMERY urged that the late period of the Session rendered it necessary to proceed with the Bill. The question of rates on railways had been settled by the Select Committee of 1870; and all he proposed to do was to carry their recommendation into effect. He, therefore, hoped the hon. Member opposite (Mr. R. W. Duff) would allow the Bill to proceed.

MR. J. W. BARCLAY said, the measure involved important principles with regard to rating. He was not prepared to say whether he approved altogether of those principles or not, as embodied in the Bill; but they were so important as affecting the incidence of taxation in Scotland, that he questioned whether it was competent to introduce a measure on the subject in the form which this Bill had taken. It presented a new mode of levying taxation, and, in point of fact, added to the taxation of the country; or, at least, provided that it should be levied upon a higher valuation than at present. This was not a time for the discussion of the question. It might be quite true that these matters had been reported upon by the Select Committee of 1870; but that very fact showed that a measure of so much importance ought to have been brought forward on the responsibility of the Government, and not by a private Member. The public of Scotland, who were so vitally affected by the Bill, knew nothing about its present provisions; for, since its introduction, it had been entirely altered, and they had had no opportunity of knowing what change the measure proposed with regard to the mode of levying taxation. The effect of the Bill would be to increase the taxation upon certain classes of property for the benefit of others. Under these circumstances, he thought the people of Scotland ought to be informed, as they might be by a report of this discussion in the newspapers, what was the real nature and effect of the change contemplated by the Bill in its altered form. He would appeal to the Chairman whether a measure dealing with so important a question, and affecting the taxation of the people of Scotland, ought to be introduced in the form in which it was now brought forward?

THE CHAIRMAN ruled that the Bill, in its present form, was in Order, as it dealt with a question of local rating only.

SIR JOSEPH M'KENNA thought it was scarcely fair to proceed with the Bill at so late an hour, and, therefore, supported the Motion for reporting Progress, as a reasonable proposition. It could not be complained by the hon. Member (Sir Graham Montgomery), who had charge of the measure, that it was likely to be damaged in any way by putting the Committee off for another night or so; because the hon. Gentleman would, no doubt, have a fair chance of bringing it on between 1 and 2 o'clock on some of the nights in the course of next week. He, therefore, hoped that the hon. Member would not proceed with it now.

Mr. ADAM expressed a hope that the hon. Gentleman (Sir Graham Montgomery) would persevere with the Bill to-night. It was absurd to say that the Bill was not known. It had long been before the public, and they had had ample opportunity for making themselves acquainted with the changes it contemplated. To say that the hon. Member (Sir Graham Montgomery) ought not to bring the Bill on at that hour of the night was, considering the advanced period of the Session, as much as to say that he should not bring it forward at all. It was hard that an hon. Member should sit there till a late hour, in order to bring on a Bill, and yet be told that he must not proceed with it, because the hour was late. If Bills of that kind were not taken at a late hour, they could not be taken at all. He, therefore, trusted that the hon. Member who had charge of the Bill would persevere with it, as it was a measure which ought to be passed, and was much wanted in Scotland.

Dr. CAMERON shared the view just expressed by the right hon. Gentleman (Mr. Adam). The Bill had long been before the House, and for many weeks in its present shape before the public. If it were proceeded with in Committee, the public would, in no way, be damnified. The discussion of the Bill, if opposed on Report, would not come on at a later hour than half-past 12. He hoped the hon. Member who had charge of the Bill would do his best to get it through Committee to-night. There was not the smallest danger of any injury to constituents, as the hon. Member below him (Mr. R. W. Duff) would, if the Bill passed through Committee in a shape to which he objected, still have it in his power to prevent its discussion at the next stage at any hour later than half-past 12.

Mr. DILLWYN said, passing Bills was one thing, but passing bad Bills was another. The House, which had been sitting for many hours, would have to meet at 2 o'clock the next day; and he did not think it was either convenient or desirable to proceed with the discussion of a Bill at an hour when the Committee could not very well arrive at right conclusions. It was an objectionable practice to force Bills through at a late hour. It was resorted to generally towards the close of the Session; and he did not think that legislation, under such circumstances, was calculated to effect improvements. He hoped the Motion for reporting Progress would be agreed to. It was much more difficult to discuss Bills at that late hour than it would be at 2 o'clock the next day.

Mr. R. W. DUFF did not wish to appear as an obstructive. This was an important Bill. It was true that it had been before the country, and the consequence was that many representations had been made to him of the unfair character of the measure. It was really a most audacious attempt on the part of the railways to assess other properties, and to save their own from taxation. The existing Act provided that one-half the expenses of improvements might be deducted; but this Bill proposed to levy the whole of the expenses upon other property, entirely excluding that of railways. If that principle were adopted in Scotland, it would next be applied to England. Under these circumstances, he thought the Committee would acquit him of obstruction, if he persevered with his Motion for reporting Progress.

The LORD ADVOCATE said, the proposal of the hon. Member (Mr. R. W. Duff) would have been a most reasonable one if he had limited his opposition to the clauses which dealt with the matter in question. The Bill contained some very valuable clauses, which had not been mentioned by the hon. Gentleman. For his own part, he did not see why the hon. Member who had the Bill in charge should not be permitted to go on with the clauses, excepting those which the hon. Gentleman opposite (Mr. R. W. Duff) had objected to. If that course were adopted, a discussion on the latter might be taken at a future stage. The Bill contained provisions which were necessary for the administration of the law of valuation in Scotland.

Sir JOSEPH M'KENNA deprecated proceeding at that hour of the night with a Bill to which there were no fewer than 23 Amendments. The Committee could not fairly consider so many at that time. No doubt it was a very meritorious measure; but as it would, if passed, be made a precedent for both England and Ireland, he protested against its being considered at 10 minutes past 1 in the morning.

SIR GRAHAM MONTGOMERY, referring to what had just fallen from the hon. Member opposite (Sir Joseph M'Kenna) as to the number of Amendments on the Paper, assured the Committee that their consideration would not occupy more than five minutes, as they were all agreed upon by the parties interested in the Bill. With regard to the remark that the rating of railways was a question which the Government ought to undertake, he could only say that they had never been able to find an opportunity to deal with it, but the present attempt had their approval; and, therefore, he hoped the Committee would consent to proceed with the Bill.

Question put.

The Committee *divided*:—Ayes 29; Noes 57: Majority 28.—(Div. List, No. 227.)

MR. J. W. BARCLAY said, he had to move that the Chairman do now leave the Chair. He wished to explain that this was a very important measure, as it altered the incidence of taxation in Scotland. The right hon. and learned Gentleman (the Lord Advocate) had said that the subject had been before, and had been reported upon by, a Select Committee; but if that were so, and if the Bill were approved by the Government, surely it ought to have been brought forward as a Government Bill. But he wished particularly to call attention to Clause 9, which raised a very important question as to the incidence of taxation. He might fairly say that the people in Scotland did not know anything as to what was proposed in the Bill. It would, no doubt, be very acceptable to the Railway Companies, as it would relieve them of a very considerable amount of taxation; but he hoped that the Government would see that there were a number of Scotch Members who were determined not to allow the Bill to pass through Committee that night.

Motion made, and Question proposed, "That the Chairman do now leave the Chair."—(*Mr. J. W. Barclay.*)

MR. ASSHETON CROSS said, that all he wished to point out was that there were two questions in the Bill. There was one, which he granted was a very important question—namely, that which was contained in the 8th clause, and had reference to the rating of railways, and he thought that ought to be fairly discussed by the House. But all the other part of the Bill was matter about which there was no dispute. Of course, if the Committee were determined not to go on with the Bill, he would advise his hon. Friend in charge of it not to get into a wrangle and waste time; but he certainly was of opinion that the Committee might get through those clauses about which there was no dispute. They were matters which were absolutely essential for the rating in Scotland, and had nothing whatever to do with that part of the Bill which dealt with railways.

MR. R. W. DUFF asked, whether the Government would give an assurance that the 8th and 9th clauses of the Bill would not be pressed until the principle contained in them was adopted in England?

MR. CAMPBELL-BANNERMAN said, that his name was on the back of the Bill, but it had been placed there before these particular clauses were added. The Bill had had for its objects the establishment of committees of assessment and the giving certain facilities for appeal. It had since been extended to other matters, and he was not at present prepared to say whether he agreed or disagreed with them; but he thought his hon. Friend in charge of the Bill was quite entitled to take the first seven clauses, which really were the original Bill, and the rest of the clauses might be left over for future consideration.

SIR JOSEPH M'KENNA said, that after the explanation that had just been given, they ought not to take the Bill at all at that hour of the night; for it appeared that some of the most serious clauses had not appeared in the Bill when the hon. Gentleman's name was upon the back of it. It was, as a matter of fact, another Bill substituted for the original measure.

MR. RAMSAY said, he was very much in the position of the hon. Member for Stirling (Mr. Campbell-Bannerman), for his name was on the back of the Bill; but it had been placed there when neither the 8th, 9th, or 10th clauses were in it, and those were the very parts of the Bill to which objection had been taken. Therefore, he had not wished to interrupt the progress of the Bill, and had, accordingly, left the House when the division took place; but he felt that if the Home Secretary would say that the Government were going now to object to progress with the 8th, 9th, and 10th clauses, then he would beg of his hon. Friend the Member for Banffshire (Mr. R. W. Duff) to allow them to proceed with the useful clauses which were contemplated when the Bill was first introduced.

Mr. ASSHETON CROSS said, that he should not wish to proceed with these clauses that night.

Mr. RAMSAY said, that that was not enough. He wished the Government to say that they would not proceed with them at all. If they would do that, Members on his side of the House would allow the useful part of the Bill to pass.

Mr. ASSHETON CROSS thought it would be better to adjourn the debate, as it was only wasting time to go any further.

Motion (*Mr. J. W. Barclay*), by leave, *withdrawn.*

Committee report Progress; to sit again upon *Tuesday* next.

INTERMEDIATE EDUCATION (IRELAND).

Committee to consider of authorising the extension of the several provisions of "The Irish Church Act, 1869," with respect to Advances to be made by the Commissioners for the Reduction of the National Debt to the Commissioners of Church Temporalities, and with respect to the powers of the Commissioners of Her Majesty's Treasury in relation to the Money to be so raised, to the provisions of any Act of the present Session to promote Intermediate Education in Ireland (Queen's *Recommendation* signified), *To-morrow*, at Two of the clock.

House adjourned at half after One o'clock.

HOUSE OF LORDS,

Friday, 19*th July*, 1878.

MINUTES.]—Public Bills—*First Reading*—Police (Expenses) Act Continuance * (165); Corrib (Galway) River * (166).

Second Reading—Roads and Bridges (Scotland) (157).

Committee—Local Government Provisional Order (Darenth Valley) * (152).

Committee—Report—Charitable Trusts * (150).

Select Committee—Report—Epping Forest *.

Report—Epping Forest * (144-164); County of Hertford * (154).

ISLAND OF CYPRUS—SLAVERY.

QUESTION. OBSERVATIONS.

Earl GRANVILLE: I beg to ask the noble Marquess the Secretary of State for Foreign Affairs a Question, of which I have given him private Notice. At once, let me tender the noble Marquess my acknowledgment for the suggestion he gave me when I spoke on this Question. I am sorry to say, however, that in none of the geographical authorities to which he referred me was I able to obtain the desired information. I can quite understand the Government not knowing much about the Island of Cyprus. I find, on referring to the *Encyclopædia Britannica*, that there are only 15 lines which refer to the state of the Island, and there is no information with regard to the particular Question which I have asked the noble Marquess to answer—Whether he can give a more detailed answer than that which was given by the noble Duke (the Duke of Richmond and Gordon), in the absence of the noble Marquess, with respect to the very important question of slavery, as to what extent it prevails in the Island, and what arrangements Her Majesty's Government have agreed to make in the matter?

The Marquess of SALISBURY: I regret that in this matter I have no official information to tender to the noble Earl. Sir Garnet Wolseley, the newly-appointed Governor, has not yet arrived in the Island; and has, therefore, not had any opportunity of studying the condition and institutions of the Island. As soon as we receive the information, we shall be happy to communicate it. Of course, when we hear from Sir Garnet Wolseley, we shall take such decision as may appear to us proper. Considering the result of the noble Earl's researches, I shall not refer him to any other authorities. My noble Friend the late Viceroy of India (the Earl of Northbrook) has offered us advice upon which, I own, I think it will be wise to act in this instance; and that is, that we should, before acting in any manner with reference to a distant part of our administration, consult the authorities upon the spot. That is a doctrine which my noble Friend maintains, and wisely maintains, and it is certainly one to which Her Majesty's Government will adhere in all matters connected with the Island which has lately come under their administration.

VISCOUNT CARDWELL understood that the Island of Cyprus was now not a protected territory, but a Crown Colony, and that the flag of England was flying there, and that a Governor had been appointed by the Crown. Now, he apprehended that the noble Marquess did not mean to say that, as that was the case, slavery could possibly exist within the territory?

LORD LILFORD asked for their Lordships' indulgence, while he made a few remarks upon the condition of Cyprus, where he had spent some time. It appeared to him that there was a vast amount of misconception and misunderstanding abroad upon the subject. He was in the Island during the months of April and May, 1875, his object being principally scientific. He had no lack of facilities for inquiring into the real condition of things. The main objection, so far as he knew, to the Island of Cyprus, in a commercial and military point of view, was that it had no harbours; and then it was stated that the insalubrity of its climate was very great. As to the first of these considerations, it was certainly true that, with the exception of Famagousta, which was very fairly protected, there was no harbour, or, rather, roadstead, of importance in the Island. Another of the best known and most used was Larnaka, which, however, was an open roadstead exposed to the South-east winds. The was another point on the same coast of the same character, but rather better, perhaps, which might be made into a fairly convenient harbour, if a breakwater were erected. But there, again, they were met by the same objection—it was exposed to South-easterly winds. In his opinion, the place that ought to be made into a harbour, and that at once, was Famagousta, which was on the East coast of the Island. There was a harbour there already, though largely filled up, which was amply protected from the most troublesome winds. The silting could be removed, and the harbour made very practicable. In order to protect it, a mole, now ruined, had been erected. The anchorage was very good for small vessels, in from three-and-a-half to four-and-a-half fathoms of water, and troops could be easily landed with the aid of steam launches. A fair anchorage was easily found for large vessels. He had considerable opportunity of forming a judgment upon the point of insalubrity, and he, and those who accompanied him, formed one by no means unfavourable. His pursuit in the Island led him to seek the marshes, of which, with very few exceptions, there was nothing worthy of the name. As to the insalubrity of the climate, he wished to refer their Lordships to a Report by Mr. Consul Laing, who said—"The Island is not unhealthy, but demands simplicity in diet, and temperance in habits." Could anything more be said for any place in the world? He (Lord Lilford) had visited almost all the large Islands in the Mediterranean, and he had found none of them more agreeable than Cyprus—an opinion in which he believed he was borne out by such statistics as existed upon the subject. Cyprus was, at least, more healthy than Sardinia or Corsica, and certainly than Sicily. The want of water in Cyprus was much spoken of; but there was really not want of water, though there was certainly a great absence of means of utilizing it. Wells existed there in great abundance. It was only money and enterprize that were required in Cyprus; and, in his opinion, its acquisition, putting aside political and military considerations altogether, was one of the wisest and best acts done by any Minister in this country for a good while.

ROADS AND BRIDGES (SCOTLAND) BILL—(No. 157.)

(*The Lord President.*)

SECOND READING.

Order of the Day for the Second Reading, read.

THE DUKE OF RICHMOND AND GORDON, in moving that the Bill be now read the second time, said, it dealt with the management of the roads and bridges in Scotland; and, although the clauses numbered 125, its object might be very briefly stated. It would not be necessary for him to go through all the clauses, and he should content himself with directing attention to some of the more salient points. In Scotland, there was no obligation at common law to make or maintain the roads and bridges. The roads in Scotland were of two descriptions—statute-labour and turnpike roads. The first were orginally made to meet local wants, and they were made by the personal service of the inhabitants of the parish. After a time, that personal service was found to be inconvenient, and it was commuted for a parish rate, upon which were placed the making and maintenance of the roads. The turnpike roads were under Local Acts in different parts of the country. They were originally the great arteries of intercommunication throughout the country, and they practically carried all the through traffic in Scotland at one time, just as they formerly did in England. They were the avenues of communication between very distant parts of the country, and that fixed their general characte ras opposed to the local —the statute-labour roads—which were of a strictly local character, constituting the means of intercommunication in the parish. The turnpike roads were not maintained by assessment, but by tolls taken upon them. The introduction and growth of the railway system in Scotland, as in England, entirely altered the condition of the traffic, diverting it to itself from the turnpike and statute-labour roads. There was, consequently, not that difference now that existed formerly between these two denominations of roads, because the turnpike road had virtually become a local means of carrying on traffic. In many instances, to his own knowledge, the traffic that formerly went on turnpike roads, yielding tolls out of which these roads were maintained, had left them to such an extent for the railways, that, at last, the tolls were insufficient to pay the salary of the toll-keeper or keep the toll-house in a proper state of repair. Hence it was that, by the Bill which their Lordships were now asked to read a second time, tolls were abolished and statute-labour and turnpike roads were combined, and were to be supported throughout that part of the country by rates, the roads going through the county outside the burghs being supported by rates levied on the land, and all the roads and streets of the burghs being supported by the local authorities of such burghs out of rates levied within them. Many places had already got Private Acts of Parliament abolishing tolls, and there the roads were maintained by an assessment on land, one-half being paid by the landowner, and the other by the tenant. There were counties that had got Bills to apply this system when the debts upon their roads were extinguished; and there were other counties, as Dumfries and Forfar, that had got Private Acts taking power to avail themselves of similar provisions to those in the Bill when they thought fit, the power taken under these two Bills being permissive. Out of the 32 counties in Scotland, 18 were already provided for in this way, and did not require to be dealt with by the Bill. Fourteen, therefore, remained untouched by any legislation of that kind. The 18 counties that were now under Private Acts of Parliament were chiefly agricultural and pastoral counties, not counties in the centre of Scotland. It was necessary that something should be done in the question which the Bill attempted to solve. No satisfactory action had hitherto been taken in this matter, and no measure passed. Besides, the Turnpike Acts would expire at no very distant period. It was, therefore, advisable that something should be determined upon without further delay. So long ago as 1859, a Royal Commission was appointed by Her Majesty's Government to inquire into the whole subject, and they reported in favour of abolishing tolls, of the placing of the cost of roads on rates chargeable on real property, and of the intrusting of them to the management of the road trustees in counties, and of the municipal authorities in burghs, where they had already charge of the streets. The present Bill, like the Bill of last Session, was framed with the view of giving practical effect to the recommendations of that Commission. The Commission did not deal with the important point connected with the counties of Lanark and Renfrew, and he thought he was justified in saying that it was in consequence of their not having made any proposal on that subject that it had been found impossible to carry out their recommendations to their full extent, that being really the difficult question that had to be solved; because, as he had shown their Lordships, with 18 counties in Scotland no difficulty had arisen, as they had all brought in private Acts, which in all the counties with which he was acquainted, were working satisfactorily. The difficulty was, no doubt, a great one, of adjusting the liability between the towns and the counties, because the county roads in the immediate vicinity of the towns suffered much greater wear-and-tear than those roads which were further in the country, where the traffic was not so great. The proposal of the Bill of 1877, which did not find favour in Parliament, was to give powers to the Secretary of State to proceed by Provisional Order in arranging some of these matters; but the counties which would have been affected by these Provisional Orders objected to that course of proceeding, and suggested that it would be far better that this matter should not be dealt with by the Secretary of State, but by clauses in a Bill; and accordingly his right hon. Friend the Secretary of State for the Home Department deputed a gentleman last autumn to go down to Glasgow and make inquiries there, so as to furnish the Secretary of State with such information as would enable him to deal with this part of the subject in a Bill which he had it in contemplation to introduce to Parliament. In consequence of the Report which was made to the Secretary of State, a clause to which the noble Earl opposite (the Earl of Rosebery) most particularly objected —he was not aware that the noble Earl called in question any other—was inserted in the Bill, the clause being that which now stood as Clause 89. He believed he was right in saying that there was a general feeling in this part of Scotland—he might almost say a unanimous feeling; but, at any rate, a general feeling—that some such measure was very desirable, and that it would be a serious misfortune if this measure was not passed during the present Session of Parliament; because there were in the Bill such provisions as would put an end to the unsatisfactory state of things which had existed for so many years, and which several successive Governments had endeavoured to deal with, though hitherto unsuccessfully. There would be grievous disappointment, in fact, if the Bill did not pass. He was bound to say, however, that the City of Glasgow did not approve of the 89th clause in the Bill. He regretted that very much, because they all knew what a very important City Glasgow was, they all knew what a public-spirited Corporation it possessed, and how great an interest they took in all public buildings and works connected with the improvement of the City. Therefore, he repeated he was sorry that they were not altogether satisfied with the proposal of the 89th clause. There was now a provision in that clause, however, by which at the end of five years there might be a revision of the sum paid annually by Glasgow towards the maintenance of the county roads, and this, it was hoped, might satisfy the City. The Bill proposed to continue in force all the existing turnpike and statute labour roads until June, 1883, and, on that date, if the provisions of this Bill had not been accepted voluntarily, it should then take effect compulsorily on those counties which had not accepted it. The abolition of tolls, of statute labour, and of what was known as causeway mail, was also provided for in the Bill. Then the management of the roads, whether turnpike or statute labour, was placed under the management, in counties, of road trustees, and in burghs, of the local authority. And there was a clause which provided for the constitution of a new road authority, primarily the county road trustees, but including the Commissioners of Supply, and representatives of the ratepayers of each parish, selected according to numbers. Then, as the road trustees, if taken as a whole, would be a rather large and numerous body, power was given them to appoint, out of their number, a smaller number, to carry out some of the provisions of the Bill. The trustees were to divide the county into convenient districts, and the management of the roads in each of these was given to a district committee named by the trustees. The county road trust was to conduct the general business, but they had no power of imposing assessments for the purposes of the Act, that power being retained in the hands of the larger body of trustees. The assessments for the repairs of the highways were to be paid, half by the owners, and half by the occupiers of the lands and heritages in each district. Under the powers given by the 58th section, for the construction of new roads and bridges, the cost of these would fall entirely upon the owners, because they would have the sole voice in deciding whether these roads should be constructed. Then there were some provisions, which had been very carefully considered, relating to the valuation and allocation between counties and burghs of the road debts. He did not think there were any other provisions to which he need call their Lordships' attention. He had, as shortly as he could, stated the main provisions of the Bill. He would ask their Lordships to give it a second reading, and wait to hear what the noble Earl had to say in objection to it, in order to reply to any arguments he might make use of.

Moved, "That the Bill be now read 2ᵃ."—(*The Lord President.*)

THE EARL OF ROSEBERY, who had given Notice to move that the Bill be referred to a Select Committee, under Standing Order, No. 96, said, he was exceeding unwilling to impede the progress of a Bill which he believed the people of Scotland would welcome as a great boon; and if he thought for a moment that it would retard the accomplishment of that object, or reduce the value of that boon in any respect, he, for one, would not be found to make the proposal he was about to submit. But he believed the general principle which the noble Duke had stated, was hardly the principle applicable to the whole Bill; and he had come to plead on behalf of a great constituency in Scotland, that it might not be excepted from that principle. There was also a minor case, which was a very hard case, and which was not included in the Bill, and which he submitted rather *ad misericordiam* to the consideration of the Government. It was the case of the burgh of Linlithgow. It was a very peculiar case. Linlithgow was originally a small village surrounded by Royal Palaces and bearing some resemblance to Windsor; and there many of Her Majesty's Predecessors had been born. In the time of the Commonwealth the burgh of Linlithgow met with extremely rough treatment at the hands of the soldiers of Cromwell, and at the time of the Restoration it, in fact, had entirely disappeared. It was thought that some endeavour ought to be made to compensate it, and, accordingly, it was resolved to purchase a bridge a mile beyond the burgh, from the Earl of Linlithgow, at a price which was then a considerable sum in Scotland, and present it to the town. The burgh was confirmed in the possession ot the bridge by an Act of the Parliament of Scotland in 1685, with the view of securing a small income to it. That was the sole income the burgh of Linlithgow had to rely upon. If Parliament now took it away under this Bill, as he feared they were about to do, they would put an end to one of the most ancient Royal burghs by rendering it bankrupt. That was a small case. The next case he had to lay before their Lordships was a case of equal hardship, but of considerably greater magnitude. The date on which the Government laid this Bill on the Table of Parliament was the 18th January, and a few days afterwards it was read a second time. By the provisions of the Bill, the counties of Lanark and Renfrew were divided into three wards—the Lower Ward, the Middle Ward, and the Upper Ward. On the 20th March the Lord Advocate gave Notice to the Committee of an Amendment by the clause which now stood as the 89th clause in this Bill. That 89th clause utterly removed the restrictions of the three wards as regarded Glasgow, making Glasgow belong to the entire district, and imposing a sum of £12,500 a-year upon Glasgow for the maintenance of the county roads, imposing also upon Glasgow a considerable proportion of the debt of these two counties. In short, Glasgow was treated most disadvantageously under this Bill. His case did not compel him to pronounce any opinion on its assessment, but he would point out that an assessment of this kind, imposing a capital sum of £330,000 on Glasgow, was not imposed without some reason or cause being shown, and, as had been stated by the noble Duke, some reason was put forward; because a Mr. Smith, a gentleman of great ability connected with the Home Office, was sent down to Lanarkshire, Renfrewshire, and Glasgow, to make inquiries. He met repeatedly with the Gentlemen representing the City and the counties, but these Gentlemen never had an opportunity of confronting each other or cross-examining each other. Fortified by these interviews, Mr. Smith returned to London, drew up a Report which satisfied the Home Secretary, but which had never been laid on the Table of Parliament and which Glasgow had never seen. He (the Earl of Rosebery) thought Glasgow had a right to demand a little more public, deliberate, and free inquiry, before it was called upon to pay £320,000 or £330,000. The contribution was so excessive, that it almost resembled the sum that might be levied on Glasgow in case of capture by a foreign enemy. That it should be levied in consequence of a Report which Glasgow had never seen, and which the Members of either House of Parliament had not seen, was an extrordinary thing. There was this further element to take into consideration that the merits of this case could not be clearly explained without a map. Some of the roads for which Glasgow was called upon to pay were 40 miles from the City, and considerably nearer Edinburgh than Glasgow, and it was hard that this should be done on private Reports, without Glasgow being able to state their case before a Committee of their Lordships' House. Instead of the City being called upon to prove its claim for immunity from this assessment, imposed on it by the Government, the burden of proof lay upon the Government itself. The Government had brought in a Highways Bill for England. Into that Bill they had introduced a clause by which no borough with a separate court of quarter sessions was called upon to pay rates for the support of the county roads. Not even the Metropolis was called upon to make such a contribution; and it did seem hard, that if in England even the Metropolis was to be exempted from contributing to make good the wear-and-tear of roads in its immediate vicinity, in Scotland Glasgow should be called upon to pay such an extraordinary amount in respect of the roads not all in its neighbourhood. The noble Duke had administered consolation of a very dubious kind to Glasgow. He had said that if Glasgow found the sum large, in five years it might come to Parliament under the provisions of this Bill and argue its case; but by that time Glasgow would have paid an enormous sum towards the debt and maintenance of the county roads, simply for the purpose of enabling this Bill to pass without the slight delay that would be necessary if their Lordships granted the inquiry that was asked. If ever a case demanded the consideration of a Select Committee of their Lordships' House, not merely on account of Glasgow, but on account of the reputation of Her Majesty's Government, that was the case in question. The case was so strong in favour of an inquiry, that it was worth while asking what were the objections that could be urged against it. The first objection was that it would delay the Bill. But the Corporation of Glasgow were confident that if a Committee were appointed, their case could be presented at a day's notice. If there was no further opposition before the Select Committee than that of Glasgow to the clauses of the Bill, the hearing and consideration of the matter would not delay the Bill more than a few days. This trifling delay would really facilitate the measure. Then the Home Secretary had complained that there had been no notice till the last moment of any objections by Glasgow to this proposal, and he also complained that the City of Glasgow had been guilty of *laches* in respect of this Bill. The application of the word was so far removed from what he (the Earl of Rosebery) had always understood to be its meaning, that he was induced to consult a dictionary to find out if the word had not a considerably different interpretation from that which he had always attached to it. He could not find it in his *Johnson*, but in the last edition he came across it with the rendering "inexcusable delay," which was the meaning he had always attributed to it. But "inexcusable delay" was so extraordinary a charge to make against Glasgow, that he would give their Lordships some account of the interviews and efforts by which it had sought to influence the Home Office and Parliament. Glasgow sent first a deputation to London on the 15th February, who saw Mr. Smith and Mr. Nicholson in the Lord Advocate's room, and afterwards met Mr. Assheton Cross, to whom the Lord Provost stated their views. On the 25th February, the views of the Corporation were again communicated to the Home Secretary and the Lord Advocate. Thereafter two meetings took place between their representatives and the Lord Advocate. On the 28th March, Dr. Cameron, one of the Members for the City, gave Notice of Amendments to remove this grievance. On the 27th of the subsequent month, Mr. Ramsay also gave Notice of Amendments to remove the injustice of the clause as affecting Glasgow. On the 3rd of June a deputation from the Corporation had an interview with the Lord Advocate and intimated their intention of opposing the clause. On the 20th of June, the Members for the City of Glasgow divided the House of Commons on the 89th clause of the Government Bill. On the 24th of June, the two Liberal Members gave Notice that they would divide the House on the third reading. On the 25th, the Corporation addressed a letter to the Home Secretary again remonstrating with him, on the injustice of his proposals. On the 27th, Mr. Anderson, one of the Members for the City, gave a further Notice that on the Order for the Consideration of the Bill he would move that the Order be discharged; and on the same day the three Members joined together, Liberals and Conservatives alike, in again remonstrating. These were the *laches* of the City of Glasgow in regard to this Bill. All he could say was that if *laches* meant constant importunity, repeated remonstrance, and pertinacious protestation against the clause affecting Glasgow, he could then understand the Lord Advocate or the Home Secretary in a spirit of weariness not unmixed with remorse, using the expression. He had no more to say. The proposal for a Committee seemed to him so absolutely irresistible and fair that hardly a doubt could remain on their Lordships' minds as to the justice of it. He heard it stated that the noble Duke intended to resist the Petition. He himself could not believe it. He could not believe that the Government would damage their reputation for candour and fair dealing with so large a portion of the people of Scotland, and, where the concession was so easy and simple, and where the effects would be so prompt and lasting, would refuse to the second City of the Empire, the small boon of a Select Committee. He moved that the Bill be referred to a Select Committee in order that Glasgow might be heard by counsel in regard to this clause.

THE EARL OF REDESDALE said, the second reading would have to be put and carried before this Motion for a Select Committee could be made.

LORD ORANMORE AND BROWNE said, that before the second reading was put, he must say he could not understand how the noble Duke could state that there was nearly an unanimous feeling in favour of the Bill, remembering the fact that two county Members and one burgh Member from Ayrshire—three Conservatives—had divided the House of Commons against the second reading of this Bill. At present the roads of the county of Ayrshire were kept up by tolls. They were excellent roads, and no possible complaint could be made respecting them. By this Bill there would ultimately be a charge upon the land, half on the tenants and half on the owners, of nearly 1*s*. in the pound. The farmers and landlords of Ayrshire were, therefore, unanimous in their desire that the Bill should not be passed, wishing to be left as they were now with excellent roads. As the noble Earl had appealed for consideration for the City of Glasgow, he (Lord Oranmore and Browne) would make a similar appeal for the county of Ayr. There was a circumstance that might have some weight with the Government. At the last Election three Conservatives were returned from that county. Its valuation was nearly a third of that of Glasgow, that was nearly £1,000,000, and it was a most important county. The landowners and farmers were deeply interested. They disliked very much that their taxes should be increased, thinking it a great hardship that a Conservative Government which they had supported, should place such a burden upon them as would be done by this Bill. These Conservatives would certainly not be so anxious to move so unitedly together in support of Her Majesty's Government, if so little attention was to be paid to their demands. He hoped the noble Duke would consider the circumstances of the large and important county of Ayr, which returned three Members at the last Election, though with some difficulty, to support the present Government. Was it reasonable, when there was no evil in that county which this measure would remedy, and when the roads were in excellent order, to impose upon the population a heavy tax for roads? He had heard from several noble Lords that it had been found that taking off the tolls in England had not been of any advantage in the way of improving the roads, and he trusted that at least the experiment would not be forced upon places in Scotland where there was no need for it.

Question, "That the Bill be now read 2ª," *put*, and *agreed to.*

Moved, "That the Bill be referred to a Select Committee."—(*The Earl of Rosebery.*)

THE DUKE OF RICHMOND AND GORDON disclaimed altogether the idea that there was any political feeling in this matter. After the period to which they sat last night discussing matters of a political character, he thought they should have been content that day to deal with the roads and bridges of Scotland, free from all political considerations, and to show that, at all events, there were some measures which they might consider in forgetfulness of the fact that there were opposite sides in the House, and that their only aim was to do the best in their judgment for the part of the country calling for such legislation. He should, therefore, not touch upon the allusion, the very pointed allusion, which the noble Lord (Lord Oranmore and Browne) had made to the political character of the representation of Ayrshire, further than to say he was sorry to hear that it was with difficulty three Members were returned at the last Election to support the Government, and that he hoped, notwithstanding the noble Lord's prophecy, the same result would be attained more easily at the next Election. He would now confine himself to the proposal of the noble Earl opposite. He had always fancied there was a good case for the Bill, but he certainly did not know the case was so good till the noble Earl favoured him with quotations from the somewhat large volume he had alluded to during his speech in favour of the reference to a Select Committee. He had no idea that the case of Glasgow had been so unceasingly before the authorities until the noble Earl had given so many dates. He was quite aware that the Secretary of State for the Home Department and the Lord Advocate had thoroughly considered the matter; but he really was not aware previously, that the case of the City of Glasgow had occupied their attention so assiduously from January up to the last days of June of the present year. He could, therefore, take it from the noble Earl's own lips that the case of Glasgow had been thoroughly considered by Her Majesty's Government. Was not that a full answer to the demand for a Select Committee? The noble Earl had also stated that he wished the same measure applied to Scotland as was proposed to be applied to England in the matter of roads and bridges. He thought they would get into some confusion unless, when dealing with Scotch roads and bridges, they confined themselves to Scotch considerations, and dealt with them in the light of Scotch requirements and Scotch law, because it did not at all follow that what would be a good principle to adopt in England would be equally or even at all applicable to Scotland. The system regulating roads and bridges in Scotland was in many respects different from the system in this country. The noble Earl had anticipated an objection which would naturally suggest itself against referring this Bill to a Select Committee—namely, that it would practically shelve the Bill for the present Session. The noble Earl said the proposed Committee might be appointed at one day's notice, and that they might within another day hear the case of the City of Glasgow, so that at the expiration of two days the whole thing might again be before their Lordships. The noble Earl had talked very much about fair play and fair dealing with the towns and counties. But where would be the fair play of dealing with the great questions which the Bill attempted to settle in that hasty manner? Would it be considered reasonable that persons affected by the Bill should get only six hours' notice of the appointment of a Committee in which their interests might be vitally affected? If they were to have the Committee, fair notice should be given to all persons affected by the measure, so that they might have a sufficient opportunity of being heard on the various clauses, as well as upon the particular clause to which the noble Earl would direct the labours of his Committee. Suppose the Committee was appointed, and that they dealt with the 89th clause in the manner suggested by the noble Earl, could it be said that the persons who felt aggrieved by this unsettlement of an arrangement should not be heard? The very reason why the Bill of 1877 did not find favour with those in Scotland to whom it was to apply was because some such clause as the 89th was not inserted in it. Let them appoint a Select Committee and get this clause struck out. What then? The discontent of 1877 would be repeated, and the Bill would not pass through Parliament. The noble Earl said the question wanted investigation, and then answered his own argument, for he had not only told them how much the Secretary of State for the Home Department had considered it during the present year, but he had also reminded them that a gentleman of great experience went down to Glasgow, where he spent a considerable time hearing all parties interested, among them 12 representatives of the City of Glasgow—the Lord Provost, the Town Clerk, the City Architect, the late Lord Provost, and others—all of whom stated the views they entertained. He thought he was fairly entitled to say that the Commissioner who went down to Glasgow was fully in possession of the views of the people of Glasgow. The noble Lord said that the principle of the clause making Glasgow contributory to the amount annually of £12,500 was one that ought not to be adopted, and that the award was excessive. As for the principle, the noble Earl's own clients admitted it, and if he mistook not when the proposal in the clause was before the House of Commons, it was met by the suggestion that they should do what in Scotland was called take a "slump sum" instead—namely £100,000. If that were so, the principle that these parties ought not to pay towards the roads in question was given up, so that the question became one of amount.

THE EARL OF ROSEBERY feared that the noble Duke had misapprehended him. He did not say that Glasgow ought not to be contributory, but that it was hard that it should be called upon to pay for what it did not get.

THE DUKE OF RICHMOND AND GORDON did not see how it was harder for Glasgow to contribute in the manner prescribed in the Bill than to contribute £100,000 down. It came to the same thing. He wanted to know why it was only recently that the noble Earl had discovered that the Bill should be referred to a Select Committee? Why did not the idea strike him, and those who thought with him when the measure was passing through the other House of Parliament? It could not be said that they had not plenty of time for forming and developing this idea. The proposal of Her Majesty's Government contained in the 89th clause was in the possession of those who represented the City of Glasgow on the 15th of February. In Committee the Lord Advocate proposed the insertion of the clause, and it was no doubt then opposed, but up to that time not a word was said as to the Bill being sent to a Select Committee. Upon a division the clause was carried by a majority, and afterwards there was a proposal to refer the Bill to a Select Committee. ["Hear, hear!"] But was that the time for such a proceeding? He found, at any rate, that there was a considerable majority against so referring it, and he had taken the trouble to inquire how the Division List was constituted as regarded Scotch Members. For referring the Bill to a Select Committee there were 15 Scotch Members and against 23, showing a majority of 8 Members against the reference to a Select Committee. What, then, was the feeling of the burghs affected by this clause? Around Glasgow there were nine burghs concerned in its operation. He held in his hand a document which showed that they were by no means unanimous in approving this suggestion. The document ran as follows:—

"At a meeting of the suburban burghs held in the Religious Institution Rooms, Glasgow, on Monday, 1st July, 1878, present representing Patrick—Bailie Kennedy, Mr. White, and Mr. Colquhoun; Hillhead—Provost Cowan, Bailie Paton, and Mr. A. C. Wilson; Maryhill—Provost Robertson, Bailie Murray, and Mr. Foules; Gowanhill—Provost Smith, and Mr. J. M. Robertson; Crosshill—Provost Browne. Provost Cowan was elected to the chair, with power to sign the minutes, and Mr. M'Gowan was continued as clerk to the meeting. The minute of meeting of June was read and approved of. Mr. M'Gowan stated that this meeting had been called for the purpose of considering the following Motion, of which Notice had been given by Mr. Anderson, on the Report of the Committee of the House of Commons on the Roads and Bridges (Scotland) Bill:—'To move that the order be discharged, and that the Bill be referred to a Select Committee, with an instruction to hear parties on whom exceptional local rates may be imposed by new Clause 86, by themselves, their counsel, or agents against such exceptional rate.'"

This meeting, after fully considering the matter, came to the following resolution:—

"That the course proposed by Mr. Anderson's Motion was objectionable, and ought to be opposed for the following reasons:—First, that the discussion of the question at issue has already extended over a lengthened period, and that the

Town Council of Glasgow and others who were interested had opportunity, of which they availed themselves, of fully stating their views to Mr. Commissioner Smith, upon whose recommendation Clause 89 is based, and that the inquiry proposed would not throw any additional light upon the subject; second, that these recommendations have given more general satisfaction as a broad settlement of the question than any other scheme hitherto suggested; third, that it would be inexpedient in the public interest to keep the matter longer in suspense; fourth, that the proposed inquiry would necessarily be a protracted one, and attended by great and increasing expense to all parties interested which would fall exceptionally hard upon these burghs. The meeting instructed Mr. M'Gowan to forward a copy of this minute by the first mail of to-day to Sir Edward Colebrooke, Sir Windham Anstruther, Colonel Mure, and Grahame and Wardlaw.—Signed Henry Conway, chairman."

He believed that, notwithstanding the statement of the noble Earl, the clause found favour with the majority of those who would be affected by it, as the entire measure found favour generally throughout Scotland, and he trusted their Lordships would not agree to refer the Bill to a Select Committee.

EARL GRANVILLE said, nothing was more undesirable than that questions of this nature should be decided by Party considerations. He, therefore, fully concurred in the appeal made to them by the noble Duke; but he should add that the value of the appeal was somewhat diminished, when it was followed by an invitation to reject the Amendment of the noble Earl, and so to do something towards an end against which the appeal was directed. No doubt, the noble Duke had the power to have his advice carried out. The noble Duke had, curiously enough, not said a word about the merits of the scheme laid down in the 89th clause. Glasgow appeared to be in exceptional circumstances under the Bill, and it seemed to him unfair that that City should suffer a grave pecuniary loss—and that, too, without being heard—because there had been some delay about taking the course now urged upon the House by the noble Earl. He very much doubted whether it was at all usual for a Government to meet a proposal of this kind in the manner suggested by the Lord President.

LORD BLANTYRE, in view of the fact that the 89th clause was the outcome of much and careful consideration, hoped the Government would adhere to it. If it were sent to a Select Committee, they ran the chance of having a finding different from that arrived at after previous Inquiries, and that would be very inconvenient. Besides, any Inquiry that could now be tried would simply go over ground already often traversed. In its present form, the Bill was easily understood and workable, and he hoped nothing would be done to delay its passing into law or to complicate it.

THE EARL OF REDESDALE wished to remind their Lordships that this Bill could not, being a public Bill, be referred to a Select Committee under their Standing Orders. A local opposed Bill could be so referred, but this was not a local Bill. Besides, it was not the custom of the House to interfere with a money Bill sent up from the other House, and the 89th clause was one most distinctly dealing with money, since it declared that the City of Glasgow and certain burghs should jointly contribute an annual sum towards the cost of maintaining the roads, highways, and bridges within the counties of Lanark and Renfrew. He was not at all sure that the other House would not consider it a matter of Privilege if this clause were altered, though, no doubt, there was occasionally a difficulty to know what was Privilege and what was not, the other House sometimes interpreting the matter stringently and sometimes indulgently.

The LORD CHANCELLOR said, three courses were before them in regard to this clause, which laid a burden upon Glasgow and the populous burghs surrounding it. They might leave the Bill as it was, which would not suit the purpose of the noble Earl; the charge upon Glasgow might be increased, which would increase the taxation upon Glasgow; or it might be diminished, in which case they would simply be throwing a greater burden upon other places. How their Lordships could deal with a matter of that kind, without running counter to the Privileges of "another place," he could not see.

On Question? *Resolved* in the *Negative.*

Bill *committed* to a Committee of the Whole House on Monday next.

House adjourned at half-past Six
o'clock, to Monday next,
Two o'clock.

HOUSE OF COMMONS,

Friday, 19*th July,* 1878.

MINUTES.] — PUBLIC BILLS — *Resolution in Committee*—Prison Officers [Superannuation]*.
First Reading—Foreign Jurisdiction * [267].
Committee—Contagious Diseases (Animals) [204] —R.P.; Parliamentary Elections (Returning Officers' Expenses) (Scotland) * [237]—R.P.
Considered as amended—Metropolitan Board of Works (Money) * [251].

The House met at Two of the clock

QUESTIONS.

MERCANTILE MARINE — COAL-LADEN SHIPS.—QUESTION.

MR. CHILDERS asked the President of the Board of Trade, What steps the Board of Trade have taken to bring to the notice of their officers and of the trade, the recommendations of the Royal Commission with respect to combustion and explosion in coal laden ships; what number of casualties arising from these causes have, since the Report of the Commission, been investigated by the Board of Trade; and, what has been the result of those investigations?

VISCOUNT SANDON: Sir, the Board of Trade have brought the recommendations of the Royal Commission from time to time under the attention of Lloyd's and the Liverpool Underwriter's Association, and have also taken steps to hold inquiries in such cases as they thought desirable, and to procure the attendance of Inspectors of Mines as witnesses. They have also obtained from the Customs a record of the particulars of coals forming the cargo of vessels clearing outwards. We have specially directed the attention of our officers in the various districts to the leading recommendations of the Royal Commission, which we have re-printed for the purpose. We have also thought it right to issue a placard, giving a summary of the recommendations of the Royal Commission, and to post that placard in all the ports of the Kingdom. Seven casualties arising from this cause have been actually investigated by the Board of Trade since the Report of the Royal Commission; and I regret to say that the loss of life which these investigations have revealed, appears in most instances to have been caused by a culpable disregard of the recommendations of the Royal Commission. I can assure the right hon. Gentleman that this grave subject will have my most careful attention, with a view to see whether any further steps can be taken without unduly interfering with the proper responsibilities of ship-owners and underwriters. I cannot but add that I think the right hon. Gentleman has done a public service by again calling attention to the dangers to which life and property are subject by disregard of the valuable and simple recommendations of the Royal Commission.

TOBACCO DUTIES ACTS, 1830 — THE CULTIVATION OF TOBACCO IN IRELAND.—QUESTION.

MR. O'SULLIVAN asked Mr. Chancellor of the Exchequer, Whether he would consider the desirability of allowing small farmers in Ireland to grow tobacco, which appeared to be a crop likely to repay culture?

THE CHANCELLOR OF THE EXCHEQUER: Sir, this is a question which has been several times considered. There was an inquiry before a Select Committee of the House of Commons in 1830, and it was in consequence of the Report of that Committee that the Act was passed which prohibits the growth of tobacco in Ireland. The growth in Great Britain has been prohibited since the time of Charles II. The question was under consideration again, once in 1865, and again in 1870, and the conclusion has always been the same—that it would be impossible, if tobacco is to be maintained as a source of revenue, to allow its growth in the United Kingdom. Excise supervision would seriously interfere with the operations of the grower, and it has also been shown that the amount of duty on the produce of an acre of land, if tobacco is to be taxed as at present, would be so very large that the cultivation of it would be rendered impracticable. It was estimated on the last occasion that an acre would yield 1,500 lbs. of tobacco, and the duty would be £262, exclusive of the cost of supervision, so that it would hardly be considered a crop that could be cultivated by a small farmer.

POST-OFFICE — MONEY ORDER DEPARTMENT—BOY CLERKS.

QUESTION.

SIR CHARLES W. DILKE asked the Postmaster General, Whether it is the fact that there are 32 "boy clerks" over twenty years of age in the Money Order Department of the General Post Office, the greater number of whom have served from four to five years; and, if so, why they have not been promoted to be ordinary clerks, as in other departments of the General Post Office, in which boy clerks have been promoted after a service seldom exceeding two years; and, whether it is the case that one of the regulations under which they entered the service stated that they would be promoted to the class of established clerks as vacancies occurred, or on attaining the age of nineteen years, provided their conduct had been satisfactory during the period of probationary service as boy clerks?

LORD JOHN MANNERS: Sir, of the boy clerks in the Money Order Office 23 are above 20 years of age, of whom the greater number have served from four to five years. The cause of delay in promoting them is that Treasury authority for the charges which would make possible the promotion of more than a few has not yet been received, and it was not considered expedient by the promotion of some to anticipate the carrying out of the general scheme. One of the regulations under which the boy clerks entered the Service is as follows:—

> "They will not be retained as boy clerks after attaining the age of 19; but they will, if qualified, be promoted as vacancies occur to situations in the classes above."

Had that regulation been strictly enforced, many of the boy clerks to whom the hon. Baronet refers would not now be in the Service, inasmuch as the vacancies were not enough to admit of the promotion of more than a few on their attaining the age of 19; but on their asking to be allowed to remain as boy clerks in the hope of obtaining promotion when the revision should be carried out, the regulation was relaxed in their favour.

MINES REGULATION ACT, 1872—CLAUSE 32.—QUESTION.

MR. MACDONALD asked the Secretary of State for the Home Department, If his attention has been called to a Report in the "Wigan Observer" of the 13th instant, of the trial of a colliery proprietor and his manager, who has a mine at Whiston, near Prescot, for breaches of "The Mines Regulation Act, 1872;" and whether, considering the evidence given by the inspector of the district as to the state of the colliery, which he described as "in a very bad state," and that the "gas could be removed by ventilation," he would put in force the thirty-second Clause of "The Mines Regulation Act, 1872?"

MR. ASSHETON CROSS, in reply, said, that both the owner and manager of the colliery had been fined for breaches of the Mines Regulation Act; and it was a question whether the certificate of the manager should be taken away from him, or, rather, whether an inquiry should take place as to whether he should hold it or not. The matter was at the present moment under his consideration, and he was only waiting for further information from the Inspector before coming to a decision.

CRIMINAL CODE (INDICTABLE OFFENCES) BILL.—BURGLARS WITH HOUSEBREAKING IMPLEMENTS—DEFINITION OF "NIGHT."

QUESTION.

MR. O'DONNELL asked the Secretary of State for the Home Department, Whether, considering that another winter must elapse before the codification of the Criminal Law, and that the long nights of winter are especially in London the burglars' season, he will bring in a short Act changing the time during which it is penal to carry housebreaking instruments from the present definition of "night"—namely, the hours between 9 p.m. and 6 a.m., which omits a large portion of the winter night, to the definition of between sunset and sunrise?

THE ATTORNEY GENERAL (Sir JOHN HOLKER), in reply, said, that it was not considered expedient in statutes relating to crimes to define the day as between the setting and the rising of the sun. It was so originally defined, but that had been altered, and therefore his right hon. Friend the Home Secretary would not be prepared to introduce such a measure as that suggested.

MAJOR NOLAN, in consequence of the Answer, gave Notice that he should ask why the definition spoken of had been introduced into the Peace Preservation (Ireland) Acts?

THE EASTERN QUESTION—THE MEDITERRANEAN FLEET — DETENTION OF BRITISH SEAMEN.—QUESTION.

LORD ROBERT MONTAGU asked the First Lord of the Admiralty, If he can give the House any further information as to the seizure as prisoners of two Officers of H.M.S. "Swiftsure," and as to the Russians having fired on men-of-war's boats on two occasions; whether Admiral Hornby demanded explanations from the Russian Commander in Chief General Todleben; and, whether satisfaction has been given?

MR. W. H. SMITH: Sir, I am not able, in answer to the Question of the noble Lord, to give any further information as to the seizure of the two officers of H.M.S. *Swiftsure*. All the information which the Admiralty possesses is, that these officers landed in a skiff, that they were detained, and that they subsequently rejoined their ship; but Admiral Hornby telegraphed to me late last night to this effect—

> "The flag captain of the ship has returned from San Stefano, where he had a satisfactory personal interview with General Todleben. The General stated verbally that he had received no account of the occurrence. He extremely regretted what had taken place, and he promised to send an officer to the Gulf of Saros for the purpose of making inquiries. He felt sure that the officers commanding the district must be ignorant of what had taken place."

When I receive a further Report, I will communicate it to the House.

LORD ROBERT MONTAGU gave Notice, that on Monday he would ask the First Lord of the Admiralty, Whether, in case of satisfaction not being speedily made by the Russians for the insult to the British flag, he will order Admiral Hornby to make reprisals, and to hold them until reparation has been made; and would also ask Mr. Chancellor of the Exchequer, whether Russian troops now occupy parts of Turkish territory other than those where they have a right to be in accordance with the provisions of the Treaty of San Stefano or the Treaty of Berlin; and if so, for what reason they remain there; and, whether any representations have been made to induce them to withdraw from the territories of an allied sovereign in a time of peace, where their presence presents frequent occasions of dispute or war?

THE EASTERN QUESTION — THE CONGRESS OF BERLIN AND ANGLO-TURKISH CONVENTION.—QUESTION.

THE MARQUESS OF HARTINGTON: I beg to ask the Chancellor of the Exchequer, a Question of which I gave him private Notice yesterday. I wish to ask him, Whether it is the intention of the Government to make any statement in this House with reference to the proceedings of the Congress at Berlin or the Convention concluded between Great Britain and Turkey; and, if so, will he state what day?

THE CHANCELLOR OF THE EXCHEQUER: Sir, I desire—the Government desire—to consult the convenience of the House. Undoubtedly, some opportunity ought to be afforded for some discussion upon the proceedings at Berlin and also upon the Convention with Turkey. I am not aware whether it is probable that any Motion upon the subject will be brought forward by any Member of the House; but if it should be the intention of the noble Lord, or anyone else, when the Papers are in their hands, to challenge the conduct of the Government in respect to these proceedings, probably it would be the most convenient course that we should await such a Motion; but if not, I should then propose to take an opportunity, and as early an opportunity as may be convenient, of calling the attention of the House to the subject, and giving an opportunity of any question being put or any explanation being asked for that would refer to anything that might be beyond what would be contained in any preliminary statement. The noble Lord asks on what day the statement will be made? That will depend on the course taken by others. If the matter rested simply with Her Majesty's Government, I think we ought to wait until, at all events, the Papers are in the hands of the House — the Protocols and other Papers — and, probably, it would be hardly possible, or not very convenient, to bring the matter forward next week. I should think that, perhaps, the Monday of the following week might be set aside for the statement; but, as to that, I should like to hear from the noble Lord, and there may be an opportunity of coming to some arrangement in the course of the day with him on the subject.

THE MARQUESS OF HARTINGTON: Sir, from the statement just made by the right hon. Gentleman the Chancellor of the Exchequer, I gather that it is not the intention of the Government themselves to bring these matters before the House within any conveniently short time; and, considering the advanced period of the Session at which we have arrived, I think it would be convenient that the attention of the House should be called to the subject with as little delay as possible. I certainly did desire to wait until the Protocols were in the possession of the House; but after what has occurred in "another place," it appears to me that there are already sufficient materials in the hands of the House supplying ample matter for discussion of the subject. I beg, therefore, to give Notice that I shall on an early day call the attention of the House to the Papers which have been presented, and move the following Resolutions:—

> "That, whilst this House has learned with satisfaction that the troubles which have arisen in the East of Europe have been terminated by the Treaty of Berlin without a further recourse to arms, and rejoices in the extension of the liberty and self-government of some of the populations of European Turkey, this House regrets:—
>
> "That it has not been found practicable to deal in a satisfactory manner with the claims of the Kingdom of Greece, and of the Greek subjects of the Porte.
>
> "That by the assumption under the Anglo-Turkish Convention of a sole guarantee of the integrity of the remaining territories of Turkey in Asia, the Military liabilities of this Country have been unnecessarily extended.
>
> "That the undefined engagements entered into by Her Majesty's Government in respect of the better administration of those Provinces have imposed heavy responsibilities on the State, whilst no sufficient means have been indicated for securing their fulfilment.
>
> "And that such engagements have been entered into, and responsibilities incurred, without the previous knowledge of Parliament."

ORDERS OF THE DAY.

CONTAGIOUS DISEASES (ANIMALS) BILL — [*Lords*]. — [BILL 204.]

(*Sir Henry Selwin-Ibbetson.*)

COMMITTEE. [*Progress 18th July.*]

Bill *considered* in Committee.

(In the Committee.)

Foot-and-mouth Disease.

Clause 22 (Declaration of infected place in foot-and-mouth disease by local authority).

Amendment proposed, in page 9, line 3, after the word "place," to insert the words "not being a fair, or market-place, or wharf."—(*Mr. Synan.*)

Question proposed, "That those words be there inserted."

SIR HENRY SELWIN-IBBETSON reminded the Committee that they had reported Progress on Thursday, after a discussion had arisen on the construction of the clause at present under notice, and its bearing upon the sub-section of Clause 26, and also of the doubt that had arisen as to the proper interpretation of the powers of the Inspector, under Clause 22, in regard to such places as fairs, markets, and wharves, referred to in the other clauses. He had carefully gone through the clause in consultation with those who had charge of the Veterinary Department under the Act already in existence, and in consultation also with the learned gentleman who had drawn up the clauses of the Bill, and he desired now to make a suggestion to the Committee, that whilst the Committee was certainly not to give the unlimited power suggested under the sub-section, it would probably be best guarded against, not by inserting words which would hamper the Inspector in carrying out the instructions laid down in Clause 26, but by a reference at the end of this clause, which would make it practically subservient, or rather entirely and directly subservient, to Clause 26. For the carrying out of this proposal, he would propose, that in Clause 22, page 9, after line 36—that was at the end of the clause—they should add to the paragraph the following words—

> "This section shall, notwithstanding anything therein contained, be construed and have effect, subject to the subsequent section in this Act contained, whereby the Privy Council are required to make, by Order, provision respecting the case of animals found to be affected with foot-and-mouth disease while exposed for sale or exhibited in a market, fair, sale-yard, or place of exhibition, and in other circumstances specified in the same section, and generally while being on land or in a place other than land, or a place in the possession or occupation, or under the control, of the owner of the animals."

This reference would embrace the Amendment he proposed to move on Clause 26, and would embrace the alteration of the sub-section, and would refer to the beginning and ending paragraphs of that clause. In this way it would become distinctly clear on the face of Clause 22 that it was governed entirely by the provisions laid down in Clause 26. This, he believed, would get over the difficulty whether Clause 26 would override the provisions of Clause 22. There was a further question referred to him yesterday, which he was asked to consider with the Officers of the Department in charge of this particular measure, and that was in regard to what the right hon. Gentleman the Member for Bradford (Mr. W. E. Forster) asked as to the terms in which the sub-sections of Clause 26 would be enacted. Now, of course, it was impossible, as he (Sir Henry Selwin-Ibbetson) had stated at the time, to place before Parliament the actual words of this future governing sub-section; but he did not understand the right hon. Gentleman to go so far as to say that he wished to be informed of the actual terms of the section, but rather that he wished to know what was in the mind of the Privy Council with regard to their conduct of this particular class of cases. He was now able to state to the Committee generally what those terms would be. Before he read the words of the Memorandum which would govern the formation of the clause, he should like to call the attention of the Committee to the difficulties that must arise in dealing with this particular class of cases. Now, in the first instance, there was no question that there were enormous difficulties in dealing with the cases of fairs, especially fairs of any considerable size. They could not—and he gathered that this was the general feeling of the Committee, and what was suggested by many speakers yesterday—they could not practically declare a market or fair to be an infected place; they could not possibly go to the extent of even dealing with a large portion of that market or fair as an infected place; and they would find endless difficulties in this clause arising from the subsequent sub-section. Take the case of a train of animals which was stopped at some place in order to water the animals, and it was then discovered that in one of the railway trucks there was an animal affected with foot-and-mouth disease or pleuro-pneumonia. It was certainly not possible in such a case of transit to deal with the whole train of animals, and there were many other cases in which there was similar difficulty in dealing generally with markets, or fairs, or animals in transit. What he thought the country might fairly expect, and what ought to satisfy the country in dealing with the case, was that where the presumption was that in a fair or market there were infected animals, the Inspector should not be expected to declare the place infected, but that he should be instructed to seize and detain animals suffering from disease, and remove them at once, in a similar manner to that which was provided under the 7th clause—he thought—of the Act passed by the right hon. Gentleman opposite (Mr. W. E. Forster). He would remove them to a convenient place of detention, either for treatment, or for slaughter, if it became necessary. They would be sent there for such a time as the local authority or the Privy Council considered expedient, subject, of course, to the general provisions of the Act in regard to slaughter; but if, in any particular case, the Inspector had reason to believe that other animals had been exposed to the infection by having been herded with, or in contact with, the diseased animals, he would have power to deal with them as if they were diseased animals—that was to say, that he could take them away and keep them under inspection or supervision until they either developed the disease, or he could pronounce them sound. If necessary, they would be subject to the general provisions of the Act in regard to slaughter. In the case of all other animals, except those dealt with in this manner by the Inspector, they would be free to move in the market as if the disease had not been discovered. Then, again, if any portion of the site of the market or fair in which the disease was found to be existing was capable of being severed from the rest of the market or fair, the local authority would have power to cause the same to be severed, and cleansed, and disinfected, in the manner prescribed by Privy Council, before other animals were admitted therein. If a portion of the site so severed was, in the judgment of the Privy Council, or of the local authority, capable of being declared a separate place, they would have power so to declare it, and to make rules that would apply to wharves, lairs, and other places. This was a general outline of the conditions on which the Privy Council was prepared to draw up provisions affecting the treatment of animals under Clause 26, and taking into consideration the Amendment he had suggested previously, distinctly referring to Clause 26 as the governing clause of Clause 22, limited as it must be by the regulations of the Privy Council with regard to these fairs, markets, and wharves, and enabling the Inspector, the local authority, and the Privy Council, to deal as far as possible with cases of disease, when they were discovered to exist in markets or fairs. He thought the Committee would see, that by the adoption of these Amendments, they would get rid of the difficulties that were suggested in the course of the discussion yesterday, especially by the Irish Members. There would be no danger of injuring the trade in connection with the large assemblage of animals which took place in the Irish fairs, nor would there be any immediate danger of the disease being likely to spread in consequence of the powers of the Inspector being taken away from the fairs and markets altogether. He hoped these propositions would satisfy the Committee that the question had been carefully considered by the Veterinary Department of the Privy Council. That Department was prepared to carry out the Bill, if it became an Act, with a full intention of, as far as possible, protecting the country against the spread of disease, and, at the same time, of giving an assurance to those who were entrusted with the trade of the country, that these precautions would not be carried too far, so as to interfere needlessly with the trade.

MR. W. E. FORSTER was much obliged to the hon. Baronet (Sir Henry Selwin-Ibbetson) for the endeavours he had made to meet the objections raised last night in regard to the clause, both as regarded the legal difficulty and the far more important question of policy. The legal difficulty of the clashing of Clause 22 with Clause 26 would be removed by some such words as the hon. Baronet proposed to add to Clause 22. In regard to the much more important question, he certainly felt that they really could not proceed with this clause without knowing how the Government meant to deal with disease when they discovered it in the markets or on the wharves. In order to solve the difficulty, the hon. Baronet had put to the very able Head of the Veterinary Department the question as to the way in which he would propose to deal with the definition of "a place" within the meaning of the Bill? Now, he (Mr. W. E. Forster) did not know that a much more difficult question could be put to Professor Brown, and he thought that Professor Brown, on his part, had given about as good an answer as it was possible for him to give. He believed the Committee upstairs, or any hon. Gentleman who had investigated the matter, would agree with him, that it was a very difficult thing the Head of the Department had to determine—a difficulty very much greater than the case of the cattle plague. With regard to foot-and-mouth disease, it was very nearly, if not quite, as infectious as cattle plague; but it was nothing like so dangerous or so destructive; and, consequently, what Professor Brown had to consider was, what he could do towards stamping out the disease that would not be worse than the disease itself. He (Mr. W. E. Forster) was prepared to admit, and had always believed, that so stringent a regulation as stopping the fairs and markets, or isolating them, or declaring them infected places, would not be borne by the trade or the public; and he had no doubt that Professor Brown, knowing that, felt it impossible to recommend a stronger measure. But, then, Professor Brown had to consider also what he could recommend, and he had probably recommended as effective a measure as could be adopted, short of stopping the market or fair. He (Mr. W. E. Forster) did not blame the Government for the course they were taking. If they intended to take any measure at all for stamping out the disease they would be obliged to interfere with the markets and fairs to some extent, and he did not think it would be possible for them to interfere with them to a greater extent than was now proposed. He hoped that those hon. Members who cared about the matter would not be led away by false hopes in the matter. If they would look back to the advice given by Professor Brown and Professor Simonds—the two best authorities on the subject, both from scientific knowledge and practical experience in putting the Acts into operation—they would find that those gentlemen had never swerved from the belief that if they were to stamp out these exceedingly infectious diseases, which did not go merely by touch, but got into the atmosphere around, they must take the same steps that they took in regard to the cattle plague, merely substituting isolation for compulsory slaughter. What was now proposed was very far short of that. As he had already said, he did not blame the Government for that. When Professor Brown was once asked what would be done in the case of a stringent measure being adopted? he said he thought that such an Act would be obstructive, and would prove inefficient. He (Mr. W. E. Forster) thought the Government, in this instance, had avoided, as far as possible, introducing a provision that would be obstructive, but he did not believe that anyone who understood the matter would for a moment suppose that the Government could be certain that their measure would be effective. He did not wish to charge the Government with putting in force regulations that would involve great inconvenience, but they would undoubtedly involve some inconvenience; and he must be allowed to say that those who believed the regulations would not be sufficient, would have to approach the other parts of the Bill, which related to the foreign importation, differently from what they would have approached them if the Government were prepared to take the measures which, to his mind, were necessary, if they desired to stamp out the disease. He did not advise the Government to do that, and he repeated, that if they did, the remedy would be worse than the disease. Perhaps he would not be out of Order if he were to say how he thought they would stand, supposing these foot-and-mouth clauses were agreed to very much as the Government proposed them—how they would stand in regard to the disease generally. It was impossible to consider the home clauses without bearing in mind the foreign clauses, because they must always recollect that, by the arguments of the Government—by the Report drawn up by the Secretary to the Treasury himself, to which the Committee agreed, and on which all this legislation was based—the foreign legislation was hung on to the home legislation, and it was stated that new foreign regulations could not be carried out without efficient home regulations. The foreign regulations had been changed, and changed very much for the better, since the Bill was drawn up; but the Bill, with the Amendments, of which Notice had been given by the Government, would come to this—At the present moment the Privy Council had absolute discretion with regard to the admission of foreign animals; but they had established a custom and rules on which they exercised that discretion. One of those rules was this—and it was a very severe rule—that if a cargo of cattle came from the Continent, and one animal had the foot-and-mouth disease, all the animals should be slaughtered. That was the present rule; and, perhaps, he might be again allowed to repeat the challenge he had made once or twice, and which he believed had never been responded to, that since that regulation had been enforced, he did not think a single case could be brought forward in which there was a reasonable ground for belief that the foot-and-mouth disease had been introduced by foreign importation. What was it that the Government proposed to do now? They proposed still to leave a discretion to the Privy Council. He did not call in question on which side the presumption was. The presumption was, he thought, and it ought to be, in favour of Free Trade; but when the rule began ostensibly with more exceptions than observances, the rule itself did not amount to much. The rule proposed that there should be a certain discretion, accorded by Parliamentary instructions, and those Parliamentry instructions were, first, that the law of the country should be against disease; and, secondly, that there should be an endeavour made by the country to prevent the importation of disease. Hitherto the Privy Council had made their regulations solely in accordance with the cattle plague. That was the principle on which he, when in Office, thought it his duty to act, and it was the principle on which the Duke of Richmond and Gordon, up to this time, had acted. He believed he was right in saying that the importation from no country had been prohibited; that no country had been scheduled; and that in no case had it been declared that the cattle of any particular country were not to come in at all, or slaughtered at the port of landing, for any disease but cattle plague. The countries scheduled last year were scheduled on account of cattle plague. The Government now proposed to make this great change—They said that they gave to the Privy Council almost compulsory duties, and they were to act according to the prevalence of the diseases—meaning pleuro-pneumonia and foot-and-mouth disease. With regard to pleuro-pneumonia, after carefully thinking of the matter, he was himself prepared to make what he considered to be a great concession, which was, that if the Privy Council believed that pleuro-pneumonia was prevalent in any country, he would admit that there should be a regulation for slaughtering animals from that country at the port of landing. He hoped his hon. Friend the Secretary to the Treasury would feel that this was not saying a little. He was not at all sure that he would be able to carry other hon. Members with him. That had not been possible hitherto; but he thought there was going to be a real attempt to get rid of pleuro-pneumonia out of the country. At any rate, there was to be an infected district, as well as an infected place. It was in no respect an easy disease to deal with, it was not so infectious, but it was a disease from which there was more danger of foreign import, because it took a long time to develop. When they came to deal with the question of foot-and-mouth disease, he hoped the Committee would consider that they had home regulations to study, which he did not think would be of much service. They might try them, but he did not believe they would be very effectual, and if they tried to make them sufficiently stringent, they would be pulled up by the fact that they were too stringent. For dealing effectively with this disease, power ought to be given to stop markets. Under the provisions introduced by the Secretary to the Treasury, they would not be able to stop markets. The movement of cattle over large areas should also be prevented. Under the clause, the movement of cattle over large areas could not be prevented. Foot-and-mouth disease developed very quickly—experts put the period as varying from 40 hours to three days; and, therefore, it was in that respect an easier disease to deal with than pleuro-pneumonia. In regard to the latter disease, he believed the Government had done all that they could do; and as to the foreign trade, he thought the Privy Council ought to be satisfied with an assurance from the exporting country that it had done its utmost in regard to the inspection and detention of animals before leaving the port of embarkation.

SIR HENRY SELWIN-IBBETSON desired to reply at once to what had fallen from the right hon. Gentleman, especially to his assumption that the home regulations would prove insufficient. Now, the home regulations at present in existence differed in many respects in themselves; and one object of the Bill was to bring about an uniformity of action where now there was a difference of action. A controlling power was to be given to the Privy Council which had never before been enforced—a power more severe, too, than even the right hon. Gentleman had suggested. His right hon. Friend asserted that the regulations would not be equal to stopping disease in fairs and markets; but it ought to be remembered that what the Government proposed to do was to attack the disease in the homesteads, and by uniformity of action endeavour to stamp it out. If the regulations in this respect were properly carried out—and no one had yet suggested that they would not be—the possibility of fairs and markets becoming centres of disease would perforce be greatly diminished. Now, although the powers of the Privy Council over markets and fairs were somewhat limited by the clause he had proposed, it ought not to be forgotten that the old authority of that body was re-enacted, by which the Council would be enabled to regulate the movements of cattle, and—if it were necessary for the public interest—to close any fair or market. He maintained that the Bill was an attempt—an honest attempt—on the part of the Government to attack the disease at its very root—namely, the homesteads of the country; and, in his opinion, the powers which were to be created, strengthened by the re-enactment of the existing law, would be quite sufficient to deal with the possibility of any distribution of disease by markets or fairs. With regard to the difference in the treatment of home and foreign cattle, the Government had before stated the ground on which the distinction was based. It was simply this—that they had not the same control over or knowledge of the trading going on on the Continent as of that at home. At home, the Privy Council was the eye that was to supervise. It would be the centre of all information relating to the outbreak of disease, and having a perfect knowledge of what was happening, it would be able to exercise its powers of control with effect. But what would the Privy Council be able to do in regard to foreign countries? They might receive some general information as to what was going on there; but they had no Inspectors of their own who could keep them advised of the state of affairs in a particular district, as at home. It was because of the absence of the means of obtaining information equivalent to that supplied in England that made it indispensable, if they really aimed at stamping out the disease, that some restrictions should be applied to the foreign trade which it was not necessary should be enforced against the home trade. Under the alterations proposed by the Government, those restrictions were limited to the lowest possible degree of stringency; they would not inflict any interference with the importation of healthy cattle from abroad, whilst they would give the authorities efficient means of checking the introduction of disease.

Mr. EVANS, though agreeing with very much that had fallen from the hon. Baronet (Sir Henry Selwin-Ibbetson), could not conceal from himself that the question of foot-and-mouth disease was surrounded by many difficulties. That disease had prevailed extensively in the district of his constituency; and he had no hesitation in saying that far greater loss had been sustained than by what was by some considered to be the more formidable—pleuro-pneumonia. It was true that the cattle generally recovered from foot-and-mouth disease; but they were always very reduced in condition, and consequently in value. He entirely agreed that it was not reasonable to expect that very severe restrictions could be enforced in regard to foreign trade, if people at home were not ready to suffer some inconvenience and trouble for the purpose of stamping out the disease. He believed that by the Bill uniformity of action would be secured, and he counselled the Government that they must not permit their Inspectors to be too tender in enforcing the regulations or to give way to pressure; for if too much relaxation of the restrictions were permitted, foot-and-mouth disease would certainly crop up in unexpected quarters, and the result which they all so much desired to obtain would be unaccomplished. What he was particularly anxious to see was, that not only should the Privy Council secure ample powers under the Bill, but that they should show plenty of backbone in putting them into force.

Mr. KAVANAGH desired only to say that he was as convinced as ever that it was an absurdity—if he might use the word—to think it possible that foot-and-mouth disease could be stamped out by any regulations; but as his constituents would prefer to have the Bill as it was to having no Bill at all, he should not stand in the way of the progress of the measure, and would withdraw the Amendment of which he had given Notice.

Mr. SYNAN said, that as the alteration to the clause brought up by the Secretary to the Treasury at the eleventh hour sufficiently met his objections, he had no hesitation in withdrawing his Amendment; but he wished to point out that those alterations would require to be applied also to Clauses 16 and 17, and also to Clause 23. [Sir Henry Selwin-Ibbetson assented.] Well, then, having arrived at that satisfactory conclusion, the Bill, he thought, ought to be allowed to proceed. Their object should be to give a fair consideration to the measure, and to try to make the provisions it laid down uniform and consistent, devised as they were in the interests both of producer and consumer. A great obstacle had been removed by the concessions of the Government—an obstacle which some hon. Gentleman desired to make a bone of contention between Irish Members and hon. Members opposite. In reference to the argument that foreign and home cattle should be placed on the same footing, he was bound to say he did not agree with it. If foreign countries would enforce the regulations defined in the Bill now before the Committee, and would take steps for stamping out disease, then there could be no objection to their being placed on a footing with England; but, until they did that, the argument could not apply.

MR. NEWDEGATE remarked, that whilst these concessions had been claimed in the interests of Irish fairs and markets, it was a fact that in England——

MR. SYNAN, interposing, said, he expressly stated in his argument that the provisions of the Bill, as they originally stood, affected English, as well as Irish, fairs and markets.

MR. NEWDEGATE contended that it was a fact that in England the local authorities had the power of suspending fairs and markets, and that power he did not wish to see taken away by any action of the Privy Council. If it was to be interfered with at all, he would desire that it should be in the direction of strengthening rather than relaxing the power. He saw very plainly that the Privy Council was exposed far more than the local authorities to pressure from importers and Irish Members; and therefore it was that he desired to enter a distinct protest against the local authorities being deprived, either by the action of the Privy Council, or in any other way, of the power they now possessed of suspending fairs and markets. Now, the Secretary to the Treasury had described the English homesteads as being the source of the disease; whereas, as they all knew, it came from the fairs and markets, to which it was introduced in the first instance from the ports. The right hon. Gentleman the Member for Bradford (Mr. W. E. Forster) had quoted the opinion of Professor Simonds and Professor Brown, to the effect that they did not believe the agriculturists and the public would submit to additional restrictions; but he begged to remind him that that evidence was given before the beginning of the movement of last year, which had since taken form and substance, and which had led to a distinct and authoritative statement in that House that the agriculturists of England and Scotland were willing to submit to further restrictions. The evidence, therefore, was given in reference to a state of things totally different to that which now existed.

MAJOR NOLAN believed that no better mode could have been devised for meeting the difficulty that had arisen than that provided by the clause introduced by the Secretary to the Treasury; but he pointed out that owing to the manner in which the Bill was drawn, fields and sheds were placed on a same level with fairs and markets. He thought that the Privy Council should be given the power to draw a distinction between the two classes of places.

SIR HENRY SELWIN-IBBETSON explained that the Privy Council would carry out Orders on that subject which would not be permissive, but obligatory on it. Those Orders must be made at once by the Privy Council on the passing of that Bill, and therefore they would be in existence before the measure came into force. In order to clear up any doubt caused by the manner in which the Bill was originally drafted, he intended to introduce at the end of Clause 22, a paragraph which would absolutely refer the powers of that clause to Clause 26. The operation of Clause 26 would then entirely govern Clause 22, and the effect would be to deprive the local authorities from dealing with fairs and markets in any other way than that laid down in Clause 26.

MR. ANDERSON contended that as the Bill stood, it was perfectly clear that the local authority had power to close markets and fairs.

[Whilst the hon. Member was speaking from the fourth bench below the Gangway, the hon. and learned Member for Louth (Mr. Sullivan) walked from the Clerk's Table down the floor of the House to his seat on the front bench. Exception being taken to this act by *loud cries of* "Order!"]

MR. SULLIVAN appealed to the Chairman, whether he was not in Order in passing down the floor of the House whilst an hon. Member was addressing the Committee from the fourth bench. [*Renewed cries of* "Order!"] The Chairman was the proper authority to cry "Order!" if he had transgressed the Rules.

THE CHAIRMAN ruled, that according to the universal practice of the House, the hon. and learned Member for Louth was perfectly in Order.

MR. ANDERSON, continuing, said, the sole ground on which the Committee were justified in agreeing to such severe restrictions on the foreign trade was the statement universally made that all parties in this country were willing to submit to any amount of restriction necessary to stamp out disease at home. But the moment this declaration was actually put to the test, hon. Members were found crying out against it. The Government gave in to the Irish Members who made a strong protest against the stopping of their fairs and markets, and now, in the matter of foot-and-mouth disease, all power was to be taken from the local authority. The effect of such concession was that one hon. Member had already asked the Government to go back on the Bill, and make the same arrangements with regard to pleuro-pneumonia. It was clear the restrictions which the Bill attempted to impose on the home trade would not be submitted to, and it was equally clear that if fairs and markets were not restricted, the Bill could not be made effective to stamp out disease, whether pleuro-pneumonia, which incubated for a long period even up to 56 days, or foot-and-mouth disease, which incubated for a shorter time. Fairs and markets, if not dealt with promptly—and they could only be dealt with promptly by the local authority—would undoubtedly become hotbeds of disease. Then the question arose—If they gave way with regard to home trade restrictions, what restrictions were to be placed on the foreign trade? It was clear they would have to be modified also.

MR. J. W. BARCLAY agreed with the hon. Member for North Warwickshire (Mr. Newdegate), that the proposed amended clause, instead of leading to increased stringency, would operate with increased laxity. If the local authorities were not to have the power of controlling the fairs and markets in their own districts, they would be deprived of a great power for dealing with disease and preventing its spread. The local authority was surely the best judge whether it was practicable to stop a market or fair within its own jurisdiction. How was the Privy Council to ascertain what would be the effect of every country market? Was the Privy Council going to make inquiry in regard to each market all over the country, to see whether it were possible to stop it or not? The step the Government had taken was decidedly a retrograde step.

MR. CHAMBERLAIN could not even now understand what the Secretary to the Treasury (Sir Henry Selwin-Ibbetson) anticipated would be the effect of the amended clause. He would like to know whether he believed that in the event of an outbreak of foot-and-mouth disease in any district, fairs and markets would be stopped. He had yielded to opposition in the House of Commons, and it was to be assumed that similar representations would have their effect upon him afterwards, and that neither fairs nor markets would be stopped for foot-and-mouth disease. If that were so, the discussion on the Bill had arrived at a most critical stage. The Bill was more than else a foot-and-mouth disease Bill. It had been represented to Parliament that foot-and-mouth disease involved greater injury and loss to farmers than ever cattle plague, and that a real and efficient attempt was going to be made to stop it. All the evidence laid before the Select Committee showed that no efforts to check it could be effectual which did not involve the stoppage of fairs and markets where the disease prevailed. That was not stated in any doubtful way at all. Professor Simonds said it was absolutely necessary to do this, and Professor Brown said that to make any arrangement which would not include this, would be ridiculous, and dishonest to foreign countries on whom we imposed restrictions. Were the Committee going to pass a dishonest Bill? The hon. Member for South Norfolk (Mr. Clare Read) gave evidence before the Committee that, in all cases where foot-and-mouth disease was general, fairs and markets should be stopped for a time. The case of his own market at Norwich was mentioned, and his opinion that it ought to be closed was not shaken. What was the use of the Committee passing the Bill, when it was perfectly evident that it was not going to stop fairs and markets, or to make a serious attempt to deal with foot-and-mouth disease in this country, although it imposed new restrictions upon the foreign trade. In some respects the Bill would now be less efficient than existing legislation, under which a whole cargo of animals from Ireland were detained at Silloth on account of foot-and-mouth disease. It was urged that the Government had at least secured uniformity; but he said that they had done nothing of the sort. An extraordinarily wide discretionary power was, throughout the Bill, reserved both to the local authority and the Privy Council. According to the 22nd clause, the Inspector had first to declare what was an infected place; but it only became an infected place under the Act, subject to the determination and declaration of the local authority, who "may, if they think fit, declare an infected place." He had the greatest respect for local authorities; but when there were so many and variously-thinking local authorities to deal with, it was ridiculous and absurd to say that by intrusting them with this wide discretion, uniformity of legislation could be secured. He would certainly vote against the clause as amended.

MR. PEASE said, he had himself put Amendments on the Paper on the subject of fairs and markets. Foot-and-mouth disease must be dealt stringently with, or the Bill would be of no use. But if the Government were prepared to grant foot-and-mouth districts, and to consider such Amendments as he proposed, they might be able to deal effectively with the disease.

MR. CLARE READ understood the proposal of his hon. Friend the Secretary to the Treasury to apply to exceptional and unexpected development of disease in a fair after the fair had begun. In that case it was impossible to apply foot-and-mouth rules; but he hoped that in Ireland the same rules would be put in force, and that when a district was grievously affected with foot-and-mouth disease, there would be power, on the part of the Privy Council, to prevent fairs being held.

MR. W. E. FORSTER pointed out, that by the plan of the Bill, there was no district for foot-and-mouth disease; and asked whether there was any attempt on the part of the Government to stop fairs and markets for foot-and-mouth disease?

SIR HENRY SELWIN-IBBETSON explained, that, doubt having arisen whether the operation of Clause 26 would override or not the action of the Under Secretary of State on Clause 22, he proposed to make it quite clear that the action of the Privy Council in Clause 26 was the direct action of the local authority and of the Inspector under Clause 22. These clauses, as had been justly said, were intended to deal with sudden outbreaks in fairs and markets. The right hon. Gentleman (Mr. W .E. Forster) forgot the powers existing at present under his own Act in case of disease breaking out in any particular district. That existing law was here reproduced.

MR. W. E. FORSTER said, the Committee appeared to be much in the position that it occupied the other evening in regard to another subject. They did not know really what was going to be done under the Bill with regard to foot-and-mouth disease. The Bill did not say whether fairs and markets were to be stopped. It was useless to answer that the Act of 1869 did not say so. That Act did not deal with the prevalence of disease in foreign countries. If foot-and-mouth disease broke out all round the city of York, did the Government intend to stop the market? It was useless taking up time discussing regulations until this was known.

MR. GORST called the attention of the right hon. Gentleman to Clause 30, Sub-section 19, which enabled the Privy Council to make regulations for prohibiting markets and fairs.

MR. W. E. FORSTER remarked that what the Committee wanted to know was whether the Government intended to use that power?

SIR HENRY SELWIN-IBBETSON said, everything depended upon whether the disease was prevalent or not; and, therefore, it was thought wise to leave the discretion with the Privy Council. Were they to define what prevalence was, it would be within the knowledge of their Inspectors whether, in any district, the prevalence of disease justified extreme measures. If the Bill laid down that fairs and markets were to be stopped, the Privy Council would have the same to do as now—to decide what constituted prevalence—and thus to use their discretion as to the stopping of a fair or market. As they could not define the prevalence in the Bill, something must be left to the discretion of the Veterinary Department, in whom they could safely trust. Notwithstanding what the hon. Member for Birmingham (Mr. Chamberlain) had said, there would be uniformity under the Bill. The hon. Member did not seem to have studied the question so deeply as he might have done, for he had not even realized the fact that he (Sir Henry Selwin-Ibbetson) did not belong to the Veterinary Department; and that, therefore, his action now would have nothing to do with the action of the Veterinary Department hereafter in these cases. Neither was he connected with the Privy Council, nor had he anything to do with the Orders issued from that Department, and he was only acting as the Member of the Government in charge of the Bill.

Mr. O'SULLIVAN said, it was hardly fair for hon. Members to lead the Committee to believe that the Irish Members were anxious to have fairs and markets where there was disease. They yielded to no hon. Members of the Committee in their desire to stamp out disease, because it was their interest to stamp it out. But they wanted to prevent any local authority who might have the power, coming to a fair and breaking it up, because one beast might be attacked out of 3,000 or 4,000. In cases where there were opposition fair-grounds in one district, the owner of them might, if he were bad enough to do it, send a diseased beast into one of the others' fields, where the local authorities would pounce upon it. It was monstrous to suppose that Irish Members wanted fairs in districts where disease was. They wanted to prevent fairs being broken up from the vindictiveness, ignorance, or neglect, of any local authority.

Mr. CHAMBERLAIN said, the Secretary to the Treasury's objection to something he had said was hardly worthy of him. He (Mr. Chamberlain) was perfectly aware that the hon. Baronet was not connected with the Privy Council, and he was really referring through him, as the hon. Gentleman in charge of the Bill, to the Representatives of the Government. As the hon. Baronet had just stated that it was impossible to define in an Act of Parliament what constituted prevalency of disease, he begged to ask how, in these circumstances, the word prevalent was used in the Schedule, which said that animals from the countries therein named might be admitted when disease was not "prevalent" therein.

Mr. J. W. BARCLAY said, the question was, whether there was in this Bill as now proposed, any more compulsion on the Privy Council to act more stringently than there was under the present law, or whether there was any more compulsion on local authorities to act more stringently than the Privy Council could require them to do at present?

Amendment, by leave, *withdrawn.*

Mr. CLARE READ moved, as an Amendment, in page 9, line 7, after "place," to insert—

> "And also on the occupier or occupiers of any lands or buildings contiguous thereto, as he shall consider necessary."

Such an Amendment he held to be essential, in order to deal effectually with foot-and-mouth disease. He hoped, therefore, it would be allowed to pass.

Sir HENRY SELWIN-IBBETSON pointed out that at present the Inspector had the power to serve the notice on any one of those on whom he thought necessary to serve it in the neighbourhood. He had agreed to bring up words on Report which would oblige the posting of a public notice in accordance with the suggestion of the hon. Member for North Warwickshire (Mr. Newdegate). This, with the discretion of the Inspector, would amply carry out the object desired.

Mr. CHAPLIN said, he thought the Amendment, making as it did a discretionary power an obligatory duty on the part of the Inspector, was a reasonable one, and he hoped the words would be inserted.

Amendment *agreed to;* words *inserted* accordingly.

Mr. J. W. BARCLAY moved, as an Amendment, in page 9, line 18, to leave out from "and," to the end of the clause, and insert—

> "And shall prescribe that the area, within a radius of not less than one mile from the infected place, shall become, and be, an inspected district."

He thought that the adoption of this Amendment was absolutely necessary, if, by the Bill, it was meant to impose greater stringency in dealing with foot-and-mouth disease. Although he was not a Member of the Select Committee of last year, he sat with the right hon. Gentleman the Member for Bradford (Mr. W. E. Forster) and his hon. Friend the Member for South Norfolk (Mr. Clare Read) upon the Committee which sat in 1873. Upon that occasion they inquired very carefully into the practicability of suppressing altogether foot-and-mouth disease; and he and his hon. Friend the Member for South Norfolk differed from the conclusions which the other Members of the Committee came to. The great majority of the Committee were of opinion that no steps which could be taken would be really effectual in stamping out disease, or that, at least, to adopt such measures as would be necessary to effect that object would be a greater grievance and calamity than the disease itself. But it occurred to him then, and he still held to the opinion, that when foot-and-mouth disease became restricted within narrow limits, or had almost disappeared in the country, it would be possible, within a certain limited area, to impose such stringent regulations as would prevent the disease spreading outside that area. He moved an Amendment embodying his views to the Report of the Committee; but he only received the support of his hon. Friend the Member for South Norfolk. The hon. Member for South Leicestershire (Mr. Pell), the hon. Baronet the Secretary to the Treasury (Sir Henry Selwin-Ibbetson) and the right hon. Gentleman the Member for Bradford (Mr. W. E. Forster), voted against him. What had taken place since that time? The circumstances which he anticipated, and which, he might say, were anticipated also by almost all the skilled witnesses, had arisen. The foot-and-mouth disease, he was happy to believe, had now been confined within very narrow limits, and it did seem to him—and this was one of the reasons why he had supported the measure of the Government—that if stringent measures were enforced within the limited areas within which foot-and-mouth disease now existed, it might be confined to those areas, and finally exterminated. At the same time, the other principle which he supported in the Bill—namely, that there should be no importation of store cattle from abroad, and that all fat cattle should be slaughtered at the port of debarkation, would prevent the re-introduction of disease from foreign countries. These were the general grounds upon which he had supported the second reading of the Bill. He believed that if these principles were carried into effect they would be of great service to the country; that if they did not altogether exterminate foot-and-mouth disease and pleuro-pneumonia, they would reduce those diseases within very small limits, indeed; and that would be attended with as great an advantage to the consumers of beef throughout the country as to the owners of cattle. The Government had not yet committed themselves to the definite proposals with respect to foreign animals, and he was not altogether without hope, after the many changes which had taken place, that they might still return to their first love, and adhere to the broad general principle which was embodied in the Bill as introduced into that House. And now he wished to carry out, with regard to home cattle, corresponding restrictions, which should have these effects which he anticipated would flow from the restrictions in regard to foreign cattle. It was very clear that if they were going to deal effectually with foot-and-mouth disease, they must prescribe a certain area within which the attempt must be made to confine the disease when it was first discovered to exist there. There was no doubt that the carrying out of such a stringent regulation would be inconvenient to the owners of animals within the prescribed area; but such inconvenience was, he submitted, inevitable, if they were to cope effectually with the disease.

Amendment proposed,

In page 9, line 18, to leave out from the first word "and," to the end of the Clause, in order to insert the words "shall prescribe that the area, within a radius of not less than one mile from the infected place, shall become and be an infected district."—(*Mr. James Barclay.*)

Question proposed, "That the words 'declare accordingly' stand part of the Clause."

MR. GOLDNEY desired to give one practical illustration against the theory of the hon. Member for Forfarshire (Mr. J. W. Barclay). There was in his neighbourhood a very large market, where large sales of cattle took place. One of the largest owners of cattle whom he knew, and whose name he could give to the hon. Member for Forfarshire, if necessary, was in the habit of going to this market and buying once a fortnight some 20 or 30 beasts. Knowing that they might have foot-and-mouth disease, and that it was sure to develop itself in a short time, he adopted the precaution of confining them for a fortnight to one particular part of his farm, and for a longer period if the disease developed itself at all. Carrying on that system for a period of two years and upwards, he had never detected a single instance in which foot-and-mouth disease had been communicated to the other portion of his herd, numbering 200 or 300 beasts. If the Committee adopted the Amendment, and declared that two or three miles around that farm should be an infected district, they would put a stop, unnecessarily, to all operations, which would be a great detriment, not only to the individual himself, but to the whole district and community in general.

Mr. ARTHUR PEEL remarked, that he approached the consideration of the Amendment from a somewhat different point of view from that of his hon. Friend who had just sat down (Mr. Goldney). It was a very important Amendment, because the hon. Member for Forfarshire (Mr. J. W. Barclay) proposed to declare a district instead of a place. He wished to quote a case, which he had verified, as against the one referred to by the hon. Gentleman. It occurred at Tenby. In October, 1871, 10 cows there were infected with foot-and-mouth disease. Inquiries were set on foot as to how the contagion had reached them, and it was apparently impossible to ascertain the medium through which the disease had come. But it was ascertained, upon inquiry, that some rams had come through Bristol, from Ireland, and had lain in a field in which the cows were. It was not certain that the rams were affected with disease, but it was certain that the 10 cows took the disease. At a considerable distance from the mainland was an island, and, on the 7th of the same month, the Inspector reported that there were 15 cases of disease upon it; and it was an absolute fact that no animal of any description, except a dog, could by contact have communicated the disease. The argument he deduced from this was that if they attempted to go outside the immediate place where foot-and-mouth disease existed—which he wished them to deal with very stringently—and to make a district, they would get into all sorts of difficulties.

Mr. PEASE said, they could hardly intrust the local authority with the power of declaring a district; but that as they had done in the case of pleuro-pneumonia, so they must do, also, in the case of foot-and-mouth disease, and leave it to the Privy Council to declare the district. With respect to the case cited by his hon. Friend (Mr. Arthur Peel), to show that foot-and-mouth disease might break out, and that it required no animal to carry it to a herd, he would take his own experience. Two years ago, his own cows got foot-and-mouth disease from a neighbouring farm, to which it had been brought from Ireland. The disease spread to a third farm. There was no reason why those three farms should not be made a district, so that the disease might be confined to them, and not be allowed to spread through the country. He agreed with the Secretary to the Treasury, that if they grappled honestly with disease in the homesteads, it might not be necessary to have recourse to districts. But he would leave it in the discretion of the Privy Council to say where a district should begin and end. Let him remind the Committee of what had happened in the case of Denmark. There, instead of maintaining the various regulations which they once had for foot-and-mouth disease, cattle plague, and pleuro-pneumonia, they amalgamated them in the year 1875 into one class of regulations affecting all these diseases, and the result had been that they succeeded in stamping out foot-and-mouth disease, with the exception of one case which occurred on one farm.

Mr. RYLANDS thought the Committee were now in a very difficult and critical position with regard to the Bill. The Amendment which they were now considering really enabled them to determine whether or not they would attempt to deal with foot-and-mouth disease in this country in a manner which was at all likely to stamp it out. The question was one of very great and material importance, and one in which the country was being led to take a considerable amount of interest, because he would remind the Committee that the only *raison d'etre* of this Bill was that the Government were proposing to adopt some stringent measures, with a view to stamp out foot-and-mouth disease. He put aside the question of rinderpest and pleuro-pneumonia, as to which he did not complain of the arrangements made in the Bill. But hon. Gentlemen knew quite as well as he did that the main object of the Bill was to deal with foot-and-mouth disease, in order, if possible, to enable the Privy Council to lay down such an uniform and regular system as would lead to the stamping out of the disease. But how was that object met? No doubt, the clause with which they were now dealing — Clause 22 — did something in that direction. It was quite clear that, viewed in connection with Clause 26, there would be a power in the Privy Council, if they thought fit, to take very stringent measures indeed with regard to this disease. But what did they find? That the more they discussed this clause, the greater was the disposition which they observed on the part of the Government to water down these restrictions. Hon. Gentlemen opposite were becoming more and more disinclined to carry out the restrictions which alone were necessary to stamp out the disease. His hon. Friend the Member for Forfarshire (Mr. J. W. Barclay) had proposed an Amendment which had been described as absurd and impracticable; but the original Bill, as introduced in "another place," contained a similar provision, although it was not contained in the present Bill. Moreover, they were in possession of the views of the Privy Council on this subject—that was to say, they knew the opinions entertained by their permanent officials in the Veterinary Department with regard to it. Judging from the statements recorded in the Report of the Privy Council, these gentlemen looked upon the proposals now in the Bill as very inefficient to attain the object in view. His object in alluding to this matter was this—the country Party had put a strong pressure upon the Government to induce them to shut out the foreign supply, with a view to get rid of foot-and-mouth disease. They had persuaded the Government to bring in a Bill, which as originally framed would, to a very great extent, have stamped out the trade in live animals imported into this country. Its provisions had, no doubt, been very materially altered. Considerable concessions had been made, and the Bill now occupied a very different position. But what he contended was that unless the Government were prepared to adopt measures which would stamp out foot-and-mouth disease in this country, they would be called upon to make still further concessions with regard to the import of foreign cattle. He would, therefore, press upon the Committee that they should consider favourably the Amendment proposed by his hon. Friend the Member for Forfarshire (Mr. J. W. Barclay).

SIR HENRY SELWIN-IBBETSON said, he understood that the Amendment proposed to extend the place which at present was left to the discretion of the local authority, and to fix the area at a radius of one mile from the infected spot. Now, the discussion had already been before the Committee, and the arguments which had been raised against the proposal on a former occasion must still be fresh in the minds of hon. Members. Those arguments relied mostly upon the impossibility of carrying out such a provision as that in crowded districts, and he had himself pointed out its impractibility in such a town as London. Let them take the radius of one mile in London, and see what an extent that covered. He believed that the Committee had already come to a decision adverse to that method of dealing with the case, and he hoped they would continue to maintain that opinion.

MR. CHAPLIN said, that if the hon. Member for Birmingham (Mr. Chamberlain) was desirous of making the Bill really an effectual one for stamping out disease, he would tell him how he could do so. Let him persuade the hon. Member for Forfarshire (Mr. J. W. Barclay) to withdraw his Amendment in favour of that of the hon. Member for South Durham (Mr. Pease). Now, that Amendment did this—it gave power to the Privy Council to declare a district, and that advantage would be obvious at once. Let them take the case of 10 or 12 farms scattered about. Foot-and-mouth disease might break out in one of those farms, and, instead of drawing a circle of exactly a mile round it, you put it in the power of the Privy Council to say—"We will make the whole of these farms into a district, and stop the disease in it." He attached great importance to the Amendment of the hon. Member for South Durham, and hoped that the Committee would accept it.

Mr. M'LAGAN said, he would advise the hon. Member for Forfarshire (Mr. J. W. Barclay) to accept the Amendment of the hon. Member for South Durham. The great value of the Amendment of the hon. Member for Forfarshire was that it made it compulsory upon the local authority to extend the limit of an infected place. Whatever the local authorities had the power to do should be compulsory upon them. He thought, at present, they were far too lax in imposing the rules laid down by the Privy Council.

Mr. MUNTZ said, that now the Committee appeared to him to have realized the difficulty of dealing with the subject. If the law were made sufficiently stringent to carry out its object, he should be only too glad to see it enforced; but it appeared that the public would not submit to such stringency. But if the law was not sufficiently stringent, it was of no use whatever. He had, personally, always objected to the Bill, because he thought it was impracticable; but he thought they ought to give it a fair chance, and the Bill having got so far, he thought they ought to give it every possible facility for becoming law. Under the circumstances, if they wished to carry the Bill, there was only one possible way of doing so, and that was to leave it to the Privy Council to decide the details. It was perfectly absurd to talk of a mile radius—as in the case of Southwark, where there were a number of dairies on the other side of the river, and the limit would include a great part of the City.

Sir ANDREW LUSK said, he should be glad to know whether hon. Members wished to pass the Bill or not. He considered the Amendment to be a frivolous one, and one entirely contrary to common sense. It was not an Amendment which a farmer's friend would impose.

Mr. J. W. BARCLAY said, he was afraid he must ask his hon. Friends to allow himself and his constituents to settle the question. He did not speak without experience. He entirely agreed with the right hon. Gentleman the Member for Bradford (Mr. W. E. Forster), when he said that nothing but cattle plague restrictions relating to slaughter would prove effectual in exterminating disease. Now, the Amendment was said to be ridiculous, but he had had a good deal to do with exterminating cattle disease in Aberdeen. They laid down, in all cases where cattle plague appeared, that the area within a mile of the spot should be an infected place, into which no cattle should be allowed to come, and from which none should be allowed to go. There was a certain exception made in the case of public highways and railways. Now, what was there impracticable in preventing any movement of dairy in London, within the radius of a mile? All he was desirous of was having some area within which there must be isolation. His objection to the Amendment of the hon. Member for South Durham (Mr. Pease) was that it was entirely permissive. The entire Bill would be at the discretion of the Privy Council or of the local authority, and if not at the discretion of those two, it would be at that of the Inspector. He wished the House to declare that, under certain circumstances, it should be imperative to have isolated places in the case of foot-and-mouth disease. If the Committee should indicate to the Privy Council that they were unwilling there should be isolated places at all, were they to expect that the Privy Council would declare those places isolated under the power given to them? The Privy Council had power to regulate what was going to take place within an infected place, and they would have power to modify the restrictions to such an extent as to make them no very excessive hardship or annoyance to anyone. But he wanted to know this—if they were going to have the slaughter of all animals from abroad, were they prepared to submit to severe regulations at home? What they complained of was that in Scotland they were carrying out such regulations under the existing Act, and under the authority which the Privy Council had granted to the local authority, while the same powers were not exercised with vigilance in England.

Question put.

The Committee *divided* :—Ayes 33; Noes 272: Majority 239.—(Div. List, No. 228.)

Mr. PEASE said, that having already spoken on the clause, he should not trouble the Committee further concerning it, save to say that if the Amendment he was about to move was accepted, he had placed on the Paper new clauses, which would prevent any markets or fairs being held in such districts as would be affected by his present proposal without the consent of the Privy Council, and would so prevent any animals being moved. This, he thought, would provide more efficient means than was afforded by the Bill for dealing with foot-and-mouth disease. He would, therefore, move in page 9, line 36, after "thereon," to insert the following sub-section:—

> "10. The Privy Council may, at any time, if they think fit, on any evidence satisfactory to them, by Order, declare any district wherein a place infected with foot-and-mouth disease is situate, to be a district infected with foot-and-mouth disease, and may from time to time, if they think fit, by Order, extend the limits of such district."

SIR HENRY SELWIN-IBBETSON, said, as he understood the sub-section proposed, it would have the effect of applying the same regulations to pleuro-pneumonia and foot-and-mouth disease as far as the action of the Privy Council was concerned. With regard to the use of the word "district" in the Schedule to the Bill, he admitted that possibly some ambiguity might arise; and if the Committee thought it would, in certain circumstances, be better to substitute the word "area" for "district," he should have no objection to that being done. At the same time, he must say that where the word "district" alone was used, it meant the district under the control of a local authority, where the word "infected" preceded the word "district," there came in the discretion in the Privy Council to extend or contract the boundaries. This, he thought, would meet all the necessities of the case.

MR. SYNAN said, there were several objections to this Amendment, the first of which was as to the meaning of the word "district," in reference to which no attempt at a definition had been made. He could understand the clause if it left the Privy Council to define the districts; but it did nothing of the sort. It assumed that the "districts" were well defined at present, and gave power to the Privy Council to declare any or all of them "infected" at any time. As far as he could see, the only definition of a district contained in the Schedule included the whole county in which any particular infected place might be situate. If he was right in this interpretation of the Schedule, it came to this—that in the case of one infected farm in a county, it would be the duty of the authorities to declare the whole county infected, and to prevent the movement of any cattle within such county, without giving a power to the Privy Council to limit the restriction to one particular town-land, or to any other area which might seem most convenient and expedient as far as the production of food was concerned. Unless the hon. Member for South Durham chose to define narrowly what he meant by the word "district," he (Mr. Synan) could not support the proposal before the Committee.

SIR HENRY SELWIN-IBBETSON said, he had forgotten when, addressing the Committee a short time before, to ask the hon. Member for South Durham (Mr. Pease) not to press his sub-section in the words in which it had been drawn. The Government was perfectly willing to accept the principle of the Amendment, and would bring up on the Report a proposal which would carry it into effect.

MR. W. E. FORSTER thought all that was wished might be attained by applying the same regulations to cattle disease, to pleuro-pneumonia, and to foot-and-mouth disease. At the present time there was no power given to the Privy Council, or to any other authority, to define what a district was. There was power given to increase a district, without power to define it. He had no doubt that if the Secretary to the Treasury took the Amendment of his hon. Friend the Member for South Durham (Mr. Pease), having stated that he accepted its principle, he would be able so to frame the clause as to bring it back to the form in which it was when it was moved in the House of Lords.

LORD ELCHO said, he voted against the Amendment of the hon. Member for Forfar (Mr. J. W. Barclay) solely because he thought the proposal now before the Committee would better attain the object at which he aimed. As a Scotch Member, he must be allowed to protest against the assumption that he spoke for the whole of the Scottish agricultural classes, and practically for the whole of the Members representing the agricultural constituencies. As a proof that the hon. Member was wrong in his assumption, it might be mentioned that, as far as he (Lord Elcho) could see, no single Member for a Scotch agricultural constituency voted for the proposal of the hon. Member.

Sir HENRY JACKSON suggested to the hon. Member for South Durham (Mr. Pease) and the hon. Baronet the Secretary to the Treasury, that they might save trouble and cause the Act to work more satisfactorily, by attaching the sub-section proposed to Clause 23, to which it more closely referred.

Sir HENRY SELWIN-IBBETSON reminded the hon. and learned Baronet (Sir Henry Jackson) that he had accepted the principle of the sub-section, and that the necessary alterations in the draft of the Bill would be made to meet the altered state of things. In making these alterations, it might be found advisable to act upon the suggestion of the hon. and learned Baronet the Member for Coventry.

Amendment, by leave, *withdrawn.*

Mr. W. E. FORSTER thought words should be added to the clause similar to those included in Clause 16, in order to give the authorities similar powers in relation to pleuro-pneumonia and foot-and-mouth disease.

Mr. SYNAN complained that there was no definition of the word "district," and that, therefore, it would have no meaning, either in Clause 16, or in the one under consideration. He, therefore, thought it would not be possible to carry out the principle of the proposal of the hon. Member for South Durham (Mr. Pease), unless words were introduced to define the meaning of the word district.

Sir HENRY SELWIN-IBBETSON moved, in page 9, at the end of the Clause, to add the words—

"This section, notwithstanding anything therein contained, is to be construed and have effect, subject to the subsequent section in this Act contained, whereby the Privy Council are required to make by Order provisions respecting the case of animals supposed to be infected while exposed for sale, or exposed in a market, fair, sale-yard, or place of exhibition, and the other circumstances specified in the same section, and, generally while being on land, or in a place other than land, which shall be a place in the possession or occupation or under the control of the owner of the animal."

Lord Elcho

He was sorry the proposal was not in the hands of hon. Members in print; but he had brought it down at the earliest possible moment, as a consequence of what passed on the previous evening.

Mr. W. E. FORSTER asked, whether it was intended to introduce similar words in Clause 16, with regard to pleuro-pneumonia?

Mr. CHAMBERLAIN said he must oppose the proposal of the hon. Baronet, on the ground that it would stultify the acceptance by the Government of the principle contained in the sub-section to Clause 22, which had recently been moved by his hon. Friend the Member for South Durham (Mr. Pease).

Mr. GREGORY admitted that there was some inconvenience in discussing an important proposal, which was not in the hands of hon. Members in print; but he thought the Committee should take this to a considerable extent upon the faith of the draftsman, who had, to the best of his ability, embodied the basis of the understanding arrived at by the Committee on the previous day. He could not see much in the objection of the hon. Member for Birmingham to the proposal of the Government. What it was proposed to do was to give the Privy Council authority, on its being reported to them by the local authorities that they considered a particular district to be infected, to declare it an infected district. There would be no hindrance to the power of the Privy Council to deal with fairs and markets. He was, he must confess, sorry that the Amendment had been brought forward at all; because it appeared to him that there was in reality no difficulty as to the construction of the clause as it stood, which he thought was perfectly consistent with the rest of the Bill.

Sir CHARLES W. DILKE did not know whether the Government were prepared to accept the Amendment of the hon. Member for Birmingham (Mr. Chamberlain) to Clause 24. If they did, the nature of the proposal now under the consideration of the Committee would be materially altered. The whole difficulty arose out of the objections which had been raised by the Irish Members. It was impossible, therefore, to look without considerable suspicion on a proposal which would mitigate the severity of the clause, and, in that way, satisfy those hon. Members who were in favour of letting fairs and markets alone. Mr. James Howard, who was a great authority on the subject, stated in his evidence before the Committee upstairs, that nearly all foot-and-mouth disease originated with cattle which were brought from fairs or markets. His hon. Friend the Member for Birmingham (Mr. Chamberlain) had quoted one part of the evidence of Professor Brown, with reference to the question; but there was another part of it which was even still stronger. Professor Brown was asked what measures he would propose with regard to internal restrictions as to foot-and-mouth disease; and his answer was that he would prevent the holding of fairs and markets, except under the authority of the Privy Council upon a licence, which should be given only under special circumstances. In answer to a further question, Professor Brown expanded that view; and it was, therefore, he thought, clear, from the testimony of the highest authorities, that there was the greatest possible danger as to the spread of the disease connected with fairs and markets, and that it was desirable the Committee should look with great suspicion in all matters of the kind upon the concessions which were made to the wishes of the Irish Members, inasmuch as their operation would be to relax the provisions of the Bill.

SIR HENRY SELWIN-IBBETSON would only repeat what he had said before, that he was prepared to accept the principle of the Amendment of the hon. Member for South Durham (Mr. Pease), and that he would introduce into the clause all such Amendments as might be necessary to put it back into its proper form. The objection which was taken by the Irish Members was urged against the discretion which was given to the local authorities, and the necessity that that discretion should be controlled in some way, as he believed it would be by the powers vested in the Privy Council by Clause 26. That, however, in no way interfered with the present arrangement.

MR. W. E. FORSTER said, that what he understood the hon. Baronet to mean was that words should be introduced into the Bill providing that no sale of cattle should be held in a district infected with foot-and-mouth disease, except by licence from the Privy Council. If the Government were prepared to give the assurance, he saw no difficulty in accepting the words proposed, which, however, might require some alteration, on the understanding that fairs and markets were to be dealt with in the same way for foot-and-mouth disease as for pleuro-pneumonia.

SIR HENRY JACKSON thought it would be better for the Secretary to the Treasury to withdraw the Amendment, and bring up words to the same effect when the Committee came to Clause 26. He had followed the discussion attentively, and he must confess he found it exceedingly difficult to form an opinion as to the effect of the Amendment. It was not easy to say whether it meant that nothing should be done by the local authority without the consent of the Privy Council, or whether, the local authority having made one Order and the Privy Council another, the Order of the Privy Council was to prevail.

MR. SYNAN hoped the Committee and the Government would keep faith with him, for it was on that understanding that he had consented to withdraw his Amendment. He had asked the Government not to act upon the recommendation of those who, all along, had opposed the Bill, and whose object it was to defeat it; and if the present Amendment were brought forward with the view of obtaining their support, he certainly should divide the Committee against it. He could, however, scarcely suppose that the Government would act contrary to the promises which they made when he withdrew his Amendment, which proposed to meet the difficulty of pleuro-pneumonia or foot-and-mouth disease springing up suddenly at a fair or market.

SIR HENRY SELWIN-IBBETSON hoped the Committee would adopt the Amendment without further discussion. It had been carefully considered by the draftsman of the Bill, and would carry out practically what the Committee, at an earlier stage of its proceedings, seemed to think was desirable. It was simply proposed that in the case of any sudden outbreak of disease, the local authorities should be restrained by the Privy Council, and should receive instructions from the Privy Council as to the mode of dealing with such disease. The Amendment would not interfere with the action of the Privy Council as to the regulation of fairs and markets, which might be held within an infected district. He could not see, he might add, how there could be any practical objection to it; for neither the Irish Members nor anyone else could be desirous that a fair or market should be held in an infected district, and disease distributed in that way throughout the country. What, in his opinion, the Amendment would really effect would be to limit the powers of the local authority by previous instructions from the Privy Council as to the mode of dealing with sudden outbreaks of disease at fairs or markets.

Mr. CHAMBERLAIN asked, whether the 3rd Schedule would include foot-and-mouth disease?

Sir HENRY SELWIN-IBBETSON said, he was prepared to adopt the principle sanctioned by the Committee, and to restore the clause relating to foot-and-mouth disease to the same condition as that relating to pleuro-pneumonia. It would, of course, be for the draftsman to consider whether the Schedule would apply to both, or whether identical terms should be inserted in a separate Schedule with regard to foot-and-mouth disease.

Mr. CHAMBERLAIN said, he was satisfied, if it was intended that the same regulations should be made applicable to both diseases.

Amendment *agreed to;* words *inserted* accordingly.

On Question, "That the Clause, as amended, stand part of the Bill?"

The O'CONOR DON said, he wished to make a few observations before the clause was agreed to. The Irish Members were placed in a somewhat difficult position in consequence of the action of the Government in connection with the Amendment of the hon. Member for South Durham (Mr. Pease). The Government did not accept that Amendment, but undertook to bring up words at a future time to give it effect. Without knowing the extent to which those words would go, he should not like to say that he would be prepared to adopt them. That the Amendment of the hon. Member for South Durham was a very important one, there could be no question. It appeared to be a reversal of the decision at which the House of Lords had arrived, after very long and careful investigation. That being so, he did not think the mode of passing the Amendment now proposed was at all satisfactory. It should not, he thought, be agreed merely on what was called a general understanding, without knowing the exact form in which it would be inserted in the Bill. Before, therefore, the clause under discussion was adopted by the Committee, he desired to guard himself individually against being supposed to adopt the proposal of the Government with respect to that particular Amendment, or being in any way pledged to the Amendment in a subsequent clause, of which the hon. Member for Birmingham (Mr. Chamberlain) had given Notice.

Mr. SYNAN also wished to say that he held himself perfectly free, as he believed did the Irish Members generally, with respect to the Amendment, until he saw the precise words by which the Secretary to the Treasury proposed to give it effect.

Question put, and *agreed to.*

Clause 23 (Declaration or extension of infected place in foot-and-mouth disease by Privy Council).

Mr. SYNAN moved the insertion, in page 9, line 42, sub-section 2, after the word "fit," of the words "on sufficient and satisfactory evidence." His object was to provide that the Privy Council should issue Orders for the declaration or extension of infected places only on evidence which should appear to them to be satisfactory and sufficient.

Sir HENRY SELWIN-IBBETSON said, he had no objection to the Amendment, if the hon. Member would only adopt the words of the previous sub-section, so that they might be in harmony.

Amendment, by leave, *withdrawn.*

Amendment made, in page 9, line 42, by inserting after the word "fit," the words "on any evidence satisfactory to them."

Clause, as amended, *agreed to.*

Clause 24 (Rules for foot-and-mouth disease).

Mr. W. E. FORSTER said, he thought it would be well to postpone the clause until the Committee were in possession of the precise words by which his hon. Friend the Secretary to the Treasury proposed to give effect to the Amendment of the hon. Member for South Durham (Mr. Pease).

SIR HENRY SELWIN-IBBETSON did not think there was the slightest necessity for postponing the clause. There were two Schedules, one of which applied to foot-and-mouth disease and the other to pleuro-pneumonia. They differed at the present moment, but he should see that they were made to agree. That being so, he hoped the Committee would at once agree to the clause.

Clause *agreed to.*

Clause 25 (Declaration of freedom from foot-and-mouth disease), verbally *amended,* and *agreed to.*

Exceptional Powers for transit and other cases.

Clause 26 (Privy Council to provide for pleuro-pneumonia and foot-and-mouth disease during transit, and in other cases).

MR. E. S. HOWARD, who had an Amendment on the Paper, in page 10, line 22, after "expedient," to insert "subject and according to the provisions of this Act," said, that so long as the Government made a distinction between animals brought from different foreign countries, he thought it right that there should also be a distinction in respect of animals coming from Ireland; because that country was, in his opinion, as dangerous as any foreign country in regard to foot-and-mouth disease. But as the Government had now given way in respect to foreign countries, and had given the Privy Council a discretion to admit or to refuse admittance to the cattle coming from such countries, they would also have a discretion with respect to Irish cattle. He, therefore, should not move the Amendment; but would only express a hope that the Government would see that that uniformity of legislation upon which so much stress had been laid would be carried out.

Amendment, by leave, *withdrawn.*

On the Motion of Sir HENRY SELWIN-IBBETSON, the following Amendments were made:—In page 10, line 42, at end of line, add—

> "And with regard to animals being or having been in the same shed or stable, herd or flock, or in contact with animals so found;"

in page 11, line 3, leave out "with regard to those places;" and in line 5, leave out "such," and after "order," insert "under this section."

Clause, as amended, *agreed to.*

Infected Places and Districts generally.

Clause 27 (General provisions respecting declaration of infected places and districts) *agreed to.*

Slaughter in Disease, and Compensation generally.

Clause 28 (Power for Privy Council to provide for slaughter in other diseases).

MR. O'SULLIVAN (for Mr. BIGGAR) moved, as an Amendment, in page 12, to leave out line 12, and insert "money voted by Parliament." He did not see why compensation under that clause should not be assessed in the same way as under Clause 15.

SIR HENRY SELWIN-IBBETSON said, that the Committee had already come to a decision as to the manner in which compensation should be provided in the case of cattle plague, where the Privy Council acted by their own Inspector and directed the slaughter of animals; but as in the cases of pleuro-pneumonia and foot-and-mouth disease, the cattle were in charge of the local authority, he thought the Committee would do well to adhere to its decision. In point of fact, the opinion of the Committee had already been taken upon the question raised.

MR. O'SULLIVAN said, he was not aware that the decision of the Committee had been taken upon the matter, or he should not have moved the Amendment.

SIR HENRY SELWIN-IBBETSON observed, that he ought to have stated that the division was taken on the pleuro-pneumonia clause, which was exactly the same as the foot-and-mouth clause with regard to compensation.

MR. CHAPLIN approved of the Amendment, and did not think that the question had been decided.

MR. SYNAN observed, that if his hon. Friend had been in his place when the Amendment proposing that compensation for pleuro-pneumonia should be paid out of funds provided by the

Treasury had been moved, he must have seen that there was no chance of passing the present Amendment. The proposal with regard to pleuro-pneumonia received no support from either side of the House, although a much stronger case was made than that with regard to the present Amendment. For his part, he was ready to support the present Amendment and to vote for it; but after what had passed, it appeared to him that it would be a waste of time to take a division upon it.

Amendment, by leave, *withdrawn.*

Clause *agreed to.*

Clause 29 (General provisions relative to slaughter and compensation).

MR. J. W. BARCLAY, who had an Amendment upon the Paper, in page 12, line 21, after "shall," to leave out to the end of sub-section, and insert—

> "Be disposed of as the Privy Council or local authority may direct, and, if sold, an accurate account of the proceeds thereof shall be rendered to the Privy Council or local authority, as the case may be, by the owner of such animal,"

said, that his Amendment depended upon a previous Amendment which had been negatived; and, therefore, it would not be proper to move the present Amendment.

Clause verbally *amended,* and *agreed to.*

SIR CHARLES W. DILKE said, that as the hon. and gallant Baronet the Chairman of the Metropolitan Board of Works (Sir James M'Garel-Hogg) was not in his place to move the Amendment which stood in his name, he would venture to bring it before the Committee. To his knowledge, it was drawn by the solicitor to the Metropolitan Board of Works, and represented the views of that body; he should, therefore, like to hear the opinion of the hon. Baronet the Secretary to the Treasury with regard to it. There was fear that carcases would be buried in commons and uninclosed lands, and the hon. and gallant Member for Truro thought it possible that that might take place on the commons managed by the Metropolitan Board. He would suggest that the matter would be placed on certain footing, if the Amendment forbidding the burial of carcases in commons or uninclosed lands was carried. He would, therefore, move in page 12, line 37, to leave out "or any common or uninclosed land."

SIR HENRY SELWIN-IBBETSON quite agreed with what he understood were the views of the hon. and gallant Baronet the Member for Truro, that there might be some uncertainty on the words of the clause as they stood. But he would wish to point out that the local authority who would have the control of the Metropolitan commons was the Metropolitan Board itself. Therefore, nothing could be done in this matter without their authority or instructions. He had no wish, however, to maintain his opinion against that of the hon. and gallant Baronet; but he was bound to say that in certain cases it might be very convenient for the local authority to have power thus to dispose of carcases.

MR. CHAMBERLAIN drew attention to the fact that commons were not always under the control of a local authority.

SIR HENRY SELWIN-IBBETSON: I accept the Amendment.

MR. CHAMBERLAIN said, he was going to suggest that a further Amendment should be made, by adding, after "common and uninclosed land," the words "except with the permission of the Privy Council."

MR. GREGORY suggested that it would be better to give power to inter carcases to the local authority of any common or uninclosed land with the consent of the Privy Council. That, he thought, would avoid any difficulty.

SIR HENRY SELWIN-IBBETSON said, that perhaps that was another instance of what he had already observed to the Committee, that it would be advisable to have allowed him to bring up these Amendments on Report. He would take that course, and would frame a clause which would carry out the object the hon. Baronet had in view, making it necessary that the assent of the Privy Council should be obtained to any burial in commons or uninclosed lands.

Amendment, by leave, *withdrawn.*

SIR HENRY SELWIN-IBBETSON proposed to add, as a 5th section, these words—

> "If the owner of an animal slaughtered under this Act by Order of the Privy Council, or of a local authority, has an insurance on the animal, the amount of the compensation awarded to him under this Act may be deducted by the insurers from the amount of the money payable under

the insurance before they make any payment in respect thereof."

This was the re-enactment of the existing law.

MR. J. W. BARCLAY said, he did not see any necessity at all for the Amendment. There was no reason why an assurance company should have the benefit, when a person was relieved out of rates. The local authorities should rather have the benefit of the assurance, to the extent of their loss, than the assurance company should obtain an advantage. It was true that the provision altogether was hardly necessary, because few assurances were now effected on animals; but if it were considered necessary to have such a clause, he thought the Privy Council or the local authority should get the benefit of the assurance to the extent of the compensation which they had paid to the owner of the animals slaughtered.

SIR HENRY SELWIN-IBBETSON pointed out that the object of his Amendment was simply to prevent the owner of an animal being paid twice over—once by the assurance company and again by the local authority.

Amendment *agreed to.*

MR. CHAPLIN moved to insert the following sub-section, after Sub-section 5:—

> "5a. It shall be lawful for the Privy Council from time to time by Order, on special grounds stated in such Order, to except any animals or classes of animals from the provisions of this Act, limiting the amount of compensation to be paid in cases of compulsory slaughter where the animal when slaughtered is not actually affected with disease, and further, by Order to prescribe the limits of compensation, or to direct the amount of compensation to be ascertained by arbitration or otherwise as they think fit."

He said, that the object of his Amendment was to prevent the possible perpetration of what would be a great injustice upon the owners of certain animals. The Committee was aware that the maximum limit of compensation was fixed at £40; but the Committee was also acquainted with the fact that there were in the country certain very valuable herds which were kept exclusively for the purpose of improving the breed of cattle. These herds were not a mere source of amusement or profit to their owners; but it was upon their maintenance that the quality of the cattle in the country was entirely due. Under the Bill, it was perfectly possible that not only the animals affected by the diseases included in the operation of the Bill might be slaughtered, but also numbers of animals in the district infected though totally unaffected themselves. The owners of animals worth from £4,000 to £5,000 were in this position—that if those animals were directed to be slaughtered, they would only receive £40 each in respect of them. His Amendment did not propose to make it obligatory on the part of the Privy Council to give the compensation in all cases; but only to make it lawful for them in extreme cases to have ascertained by arbitration what would be a fair compensation to the owners of such stock. The Committee would see that there was a great injustice involved in the Bill as it now stood, and it was in the hope of remedying it that he begged to move the Amendment which he had read.

SIR CHARLES W. DILKE thought that the insertion of the sub-section proposed would be a violation of the general understanding which existed in this country and in others, with regard to compensation to be paid by Government. It was always usual, in the cases of compulsory taking of animals, to fix a limit to the amount of compensation to be paid by the State. For instance, in some foreign countries, with regard to the compulsory use of horses, it was a well-known fact that the owner of the animals had to register them for a kind of conscription. That system existed in France and Germany, and was being introduced into nearly all foreign countries. For the use of the horses, a maximum price to be paid was fixed, and was, no doubt, in many cases productive of great hardship. Doubtless, it was, to a certain extent, hard to give the same compensation to the owner of a valuable animal as to that of an inferior one; but the regulation had been found necessary in order to prevent robbery of the State.

SIR HENRY SELWIN-IBBETSON was sorry that he could not consent to the introduction of the sub-section. No one sympathized more than he with the losses inflicted upon agriculturists; but in considering the question, he did not think that it would be fair to tax the ratepayer for what would really be a fancy price. It was impossible that one of those animals, even allowing for a certain amount of increased value on account of breeding, could be worth the amount which was given for it. The country would, therefore, be taxèd to pay a fictitious value. Moreover, every Act which contained similar provisions as to compensation had a clause fixing the maximum limit, and he did not think it would be wise for the Committee to accede to the Amendment.

Mr. MURPHY contended that it would be easy for owners, out of the large profits created by animals of the class they were considering, to become their own insurers, and so recoup any losses they might sustain by the action of the Bill.

Mr. J. W. BARCLAY could not at all subscribe to the view expressed by the Secretary to the Treasury, that the values of those animals constituted fancy prices. It might be said that £7,000 was a fancy price; but the term could not be properly applied to a value of £600 or £700. It was the case that foreigners came to this country and bought the animals to take abroad; and, under those circumstances, it was a great injustice to the breeders to limit them to a compensation of £40. He thought that the Privy Council should have powers in special cases to go considerably beyond the amount laid down by the Bill. He should vote for the Amendment.

Colonel KINGSCOTE maintained, that in the case of horses, bulls, and cows, it was difficult to determine between a high value and a fancy value, and he did not see how the Amendment would meet the case.

Mr. CHAPLIN said, that those animals were kept in a very great degree to maintain the state of excellency for which the country was so celebrated. The question was as to whether the true line had been drawn by the Bill, and his Amendment left the matter entirely within the discretion of the Privy Council; but as the hon. and gallant Member (Colonel Kingscote), who was an eminent breeder of valuable cattle, did not think the Amendment a practicable one, it would be difficult for him (Mr. Chaplin) to press it.

Amendment, by leave, *withdrawn.*

Mr. GREGORY moved, as an Amendment, in page 13, line 6, after the word "withhold," to insert the words "either wholly or partially."

Mr. W. E. FORSTER said, that in view of the stringent regulation which required the slaughter of a whole cargo of cattle, the clause appeared to point to a very large amount of compensation. The hon. Gentleman (Sir Henry Selwin-Ibbetson) would have to look into that matter.

Sir HENRY SELWIN-IBBETSON replied, that he would consider the point to which his attention had been called.

Mr. DODSON inquired, whether compensation would be given in the case of a person omitting to give notice of disease?

Sir HENRY SELWIN-IBBETSON replied, that in such case compensation would be withheld.

Mr. W. E. FORSTER thought it important that the hon. Baronet (Sir Henry Selwin-Ibbetson) should carefully see that the omission to give notice was a good defence to a claim for compensation. He was not sure that it was; but as the hon. Baronet had accepted the principle that no compensation should be allowed where no notice was given, he would not raise that question.

Sir CHARLES W. DILKE could not see why they should be asked to pass the two last lines of the clause without explanation. He knew of no case at the present time of compensation being given for foreign animals. He could understand the words if they applied, say, to animals returning from exhibition abroad.

Mr. J. W. BARCLAY thought the clause proceeded upon the assumption of the animals being store cattle, and that it was a provision whereby the importers of foreign stock were to bear the responsibility, provided it was shown that the animals were diseased on landing.

Sir HENRY SELWIN-IBBETSON explained, that if a person imported a number of animals with the knowledge that they were diseased, he would not be able to claim compensation; and the Privy Council were, by the wording of the clause, empowered to withhold compensation in such case.

Amendment *negatived.*

Clause, as amended, *agreed to.*

Disease and Movements generally.

Clause 30 (Power for Privy Council to make orders for prevention or checking of disease, and other purposes).

MR. CLARE READ said, he had proposed to leave out lines 16, 17, and 18, in order to insert a clause making it a statutory liability for an owner to give notice of disease, but would do this on Report, if necessary. His second Amendment was rendered necessary, because the slaughter-house to which the local authorities would, perhaps, direct a diseased animal to be sent might be at a distance of three or four miles from the place where the animal was lying. He, therefore, trusted that the Secretary to the Treasury would tell the Committee that the Privy Council would issue Orders to the effect contemplated by his Amendment. He begged to move the omission of the lines he had referred to in page 13, in order to insert, after line 20, the words—

> "Provided, That any animal permitted by any such general order to be removed out of an infected place for the purpose of immediate slaughter shall be so removed only in a covered truck or other properly constructed vehicle."

SIR HENRY SELWIN-IBBETSON said, the subject was one that should, undoubtedly, engage the attention of the Privy Council, and would be provided for by the Rules to be drawn up by them. He thought that his hon. Friend (Mr. Clare Read) would, therefore, do wisely in not inserting the proposed clause in the Bill.

Amendment, by leave, *withdrawn.*

House *resumed.*

Committee report Progress; to sit again upon *Monday* next.

PRISON OFFICERS [SUPERANNUATION].

Considered in Committee.

(In the Committee.)

Resolved, That it is expedient to amend the Prisons Acts of 1877, so far as regards the Apportionment of Superannuation Allowances between the Treasury and the Local Authority.

Resolution to be reported upon *Monday* next.

The House suspended its Sitting at Seven of the clock.

The House resumed its Sitting at Nine of the clock.

SUPPLY.—COMMITTEE.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

Notice taken, that 40 Members were not present; House counted, and 40 Members not being present,

House adjourned at five minutes after Nine o'clock, till Monday next.

HOUSE OF LORDS,

Monday, 22nd July, 1878.

MINUTES.]—PUBLIC BILLS—*Second Reading*—Freshwater Fish Protection (155); Weights and Measures (161).

Committee — Roads and Bridges (Scotland) (157).

Report—Local Government Provisional Order (Darenth Valley) * (152).

Royal Assent — Entail Amendment (Scotland) [41 & 42 *Vict.* c. 28]; Monuments (Metropolis) (No. 2) [41 & 42 *Vict.* c. 29]; Parliamentary and Municipal Registration (Consolidated) [41 & 42 *Vict.* c. 26]; Bills of Sale [41 & 42 *Vict.* c. 31]; General Police and Improvement (Scotland) Act, 1862, Amendment [41 & 42 *Vict.* c. 30]; Supreme Court of Judicature Act (Ireland), 1877, Amendment [41 & 42 *Vict.* c. 27]; Dental Practitioners [41 & 42 *Vict.* c. 33]; Highways (South Wales) [41 & 42 *Vict.* c. 34]; Metropolis Management and Building Acts Amendment [41 & 42 *Vict.* c. 32]; Conway Bridge (Composition of Debt) [41 & 42 *Vict.* c. clxvi]; Local Government Provisional Orders (Bournemouth, &c.) [41 & 42 *Vict.* c. clxii]; Tramways Orders Confirmation (No. 2) [41 & 42 *Vict.* c. clxiii]; Local Government Provisional Orders (Dawlish, &c.) [41 & 42 *Vict.* c. clxv]; Local Government Provisional Orders (Abergavenny Union, &c.) [41 & 42 *Vict.* c. clxiv].

PARLIAMENT — HOUSE OF LORDS — THE VENTILATION OF THE HOUSE.

QUESTION. OBSERVATIONS.

EARL GRANVILLE rose to ask the noble and learned Lord on the Woolsack a Question which would not embarrass Her Majesty's Government, and in the object of which he believed he would obtain the sympathy of both sides of the House. He wished to know, Whether the noble and learned Lord would exert his influence with his Colleagues to direct the Board of Works to take the necessary measures for improving the ventilation of the House? The atmosphere in it had been most oppressive during the hot weather. He never knew anything more oppressive than it was on the great occasion when the noble Earl (the Earl of Beaconsfield) came down to explain and defend his Eastern policy. On the other hand, he was told that in "another place," where superior mechanical means had been adopted, the temperature had been constantly kept not higher than 70°, and the air fresh and wholesome. This was done by means of ice and a most ingenious mechanical contrivance. The delicacy which the noble Earl had lately attributed to his (Earl Granville's) nerves prevented his proposing the heroic measure of exchanging rooms with the House of Commons, though great advantages from such an arrangement would accrue to both. Their Lordships would be cool and comfortable; while, as regarded the great popular Assembly, he would defy any man, even of the most vigorous constitution, to offer obstruction in this beautiful but ill-ventilated chamber for more than a very limited number of hours. What he proposed was merely that they should humbly follow the example of the House of Commons, and have the advantage of similar scientific appliances. He knew that he might claim the authority of the noble and learned Lord on the Woolsack as to the reality of the evil, and as to the necessity of a thorough reform. But they differed as to certain temporary palliatives. The noble and learned Lord, with a view to their Lordships' increased comfort, ordered at 5 every evening the windows to be opened on the shady side of the House, an order which rejoiced the hearts of their Lordships, all of them being good Englishmen. It was the only idea which an Englishman had of cooling a house. But much as he admired his countrymen, he must admit that, owing to the great blessing of a temperate climate, they did not understand warming a house when it was very cold, like a Russian or a Canadian, or keeping it cool when the weather was hot, like an Indian or even an Italian. An Italian opened everything during the night, and darkened everything during the day. By following this simple process, their Lordships would keep their own House much cooler. His impression was that the effect of opening the windows of the House of Lords was to admit outer air often 9 or 10° hotter than that of the apartment itself. But he did not venture to press any theory of his own on their Lordships. He therefore consulted Dr. Percy, the eminent Fellow of the Royal Society, who had made this subject an especial study, and who had so long been in charge of the ventilation of the Houses of Parliament. He had a letter from Dr. Percy, showing how far he was right, and giving an additional reason against opening the windows, of which he was not aware—

"July 19, 1878.

"My Lord,—The supply of air to the House of Lords is wholly effected by exhaustion through numerous openings in the ceiling, and the air comes through the floor from the adjacent courtyards, which are kept cool by watering. When the windows are open, the air enters mainly through the open window spaces, and escapes through the roof without descending to the floor of the House. This is a point, in my opinion, of the greatest importance. The temperature rises after the windows are opened in hot weather; but last night the temperature was not very high in the House, and I suspect that the discomfort which your Lordship experienced was due not so much to high temperature as to deficient supply of fresh air from below. I hope I have made this point plain, for it cannot be too strongly insisted upon.

"I have the honour, &c.,

"JOHN PERCY."

Dr. Percy had also sent him a copy of the hourly temperature of the House last Thursday. From noon till 5 it was 71°; but at 5·30, when five windows were opened, the temperature was at 73°, and after 11 windows were opened at 6·30, the temperature rose to 75°. Dr. Percy was of opinion that great improvement could be made by mechanical appliances in the ventilation of their House.

THE LORD CHANCELLOR said, he had personally more experience of the temperature of their Lordships' House than, perhaps, any of their Lordships; and he, therefore, entirely sympathized with a certain amount of the complaint which the noble Earl had made in reference to the ventilation of the House. He had endeavoured to see the officer who had charge of the ventilation, wishing to ask him some questions; but, unfortunately, he was absent at the time he sought him. He could assure the noble Earl that he should endeavour to ascertain if any improvement could be made. With reference to what the noble Earl had said about the causes of the oppressive heat, there was not the least doubt that it was greatly owing to the fact that so large a portion of the superficial area was composed of glass, the consequence of that being that in winter they had a very cold and in summer a very hot House. Besides, the sides of the House were east and west, so that the sun was on one side in the forenoon and on the other side in the afternoon. He quite agreed with the noble Earl's theory that if they had a reservoir of cool air in a building, and wished to prevent the temperature of it rising, it was better not to introduce air which was at a higher temperature from outside; but if they had a machinery inside which was constantly raising the temperature and exhausting the freshness of the air inside, of the two evils the least was to have fresh air admitted from outside. On Thursday evening last the House was unusually crowded, and the windows were kept closed until the great crowd had assembled. He had then given orders that the windows should be opened, and he had the consolation of thinking that he had saved lives by so doing. The blinds were now kept closed to prevent the House, as far as possible, from being heated through the windows; but without some means of damping them, that contrivance was very far from being a sufficient one. The best plan of ventilation was, no doubt, to introduce fresh air from the floor, and cause it to ascend through the body of a building; but the real difficulty was not to supply fresh air from the floor, but how to counteract the heating operation on the outside glass. He would, however, make inquiries on the subject with the view of remedying the evil.

RECENT FAMINES IN INDIA.

QUESTION. OBSERVATIONS.

Lord NAPIER and ETTRICK rose to call the attention of the House to the despatch from the Secretary of State for India to the Governor General, dated the 10th of January, 1878, on the subject of the recent famine in Western and Southern India, and to ask Her Majesty's Government, Whether they intended to lay upon the Table of the House any estimate of the number of persons who had perished by hunger, or its immediate consequences, in the Presidency of Madras or the State of Mysore? The noble Lord said, that before referring to the particular subject to which he had ventured to draw their Lordships' attention, he claimed their indulgence while he spoke very briefly of the recent scarcities which had occurred in India, and of the measures which had been taken to meet them. He would not go further back than the serious failure of crops which occurred in the Province of Orissa in the year 1866. In consequence of the want of timely foresight, partly on account of the want of intelligence, earnestness, and activity in the local authorities, but most of all on account of the exceptional character of the district, which was extremely difficult to get at properly, the pressure of the famine fell with unsparing severity on the population, and eventually swept off about one-third of their number—that was, about 1,000,000 souls. This result excited a feeling of amazement and remorse both in this country and in India; and the mind of the public and of the Government was very highly strung in order to meet any other emergency of the same kind which might arise. Such an emergency was not long of recurring, because in the year 1874 a very serious scarcity occurred in the Northern part of Bengal. That scarcity found the noble Earl who was then at the head of the Government of India (the Earl of Northbrook) not only forewarned but forearmed, not only encouraged by public feeling, but actually stimulated—and he might almost say menaced—by the intensity of public feeling, to use the whole of the administrative and the whole of the financial resources at his command, in order to meet the evil. Under this pressure the noble Earl continued his course with energy, firmness, and courage. Their Lordships would all remember the result. It was the first, the last, and only victory which had ever been gained over famine; and no laurels were ever more justly earned, or with more modesty borne, than those which adorned the victor of the famine of Bengal. But the effort and sacrifice necessary for the management of this great economic danger and calamity were not unattended, alas! with a sense of re-action and discouragement. The expenditure had been so great that thoughtful men not unnaturally asked themselves whether such ruinous expedients should be repeated; whether such sacrifices could be made, over and over again, without endangering the financial interests and prosperity of future generations, while providing, he might almost say, for the selfish preservation of existing generations? And thus, when in the year 1876 there came the dawn of a great economic calamity of so grave a nature as India had had no experience of during our reign, the emergency found the Government of India probably affected by very mixed feelings. On the one hand, there was no want of human endeavour to combat the effects of famine, and to save the lives of people committed to their charge; but, on the other hand, there was, no doubt, a resolution on the part of the Government of India to accomplish this with the greatest possible measure of economy, and they were even induced to contemplate a contingency, when an emergency might arise, on such a scale as would make it impossible for the Government of India, while making all the efforts and sacrifices possible, to attain the result of saving every life which might be exposed to the danger of famine. The condition of feeling into which he supposed the Government were thrown might be shortly illustrated from the Correspondence laid on their Lordships' Table. On the 16th of January, 1876, the following instructions were addressed to Sir Richard Temple, for the Famine Commissioners:—

> "The Government of India is resolved to spare no efforts which may be necessary and practicable with reference to the means at its disposal to save the population of the distressed districts from starvation, or from an extremity of suffering dangerous to life, but it will not sanction a course of action which must tend to demoralize the people themselves, who are passing through a time of temporary trial, and inevitably lead to the imposition of heavy and permanent burdens on the industry of the country. Even for an object of such paramount importance as the preservation of life, it is obvious that there are limits which are imposed upon us by the facts with which we have to deal. If the estimates of the local Government are to be accepted, the relief of the existing scarcity in the Madras and Bombay Presidencies, including loss of revenue, will not cost less than £6,500,000. Considering that the revenues are barely sufficient to meet the ordinary expenditure of the Empire, and that heavy additional taxation is both financially and politically impracticable, we must plainly admit that the task of saving life, irrespective of the cost, is one which it is beyond our power to undertake."

He was quite ready to admit that there was a great deal of economic truth in those instructions; but, at the same time, their tenour was, in his opinion, calculated to create a certain amount of hesitation and irresolution in the minds of those charged with the administration of affairs, as to exactly how far they were justified in incurring expenditure for saving human life. In fact, the tenour of those instructions excited a great deal of attention in India; and the instructions themselves, when they reached the ears of the Government of Bombay, became the subject of discussion, which ended, on the 25th January, 1877, in the adoption of a resolution to the following effect:—

> "The letter in question, addressed to Sir Richard Temple, does not lay down any general principles by which the district officers should be guided in refusing the aid needed to preserve life, and His Excellency would view with satisfaction the issue of supplementary instructions on that point."

The Supreme Government, thus challenged by the Government of Bombay, and having, in the meantime, taken a more careful, and perhaps a more correct, view of the methods of relief that were to be enforced, replied to the Government of Bombay on the 2nd February, 1877, in these words—

> "In regard to the duties which humanity imposes upon the Government, there has not been, and there will not be, any change of policy. We say that human life shall be saved at any cost and at any effort; no man, woman, or child shall die of starvation. Distress they must often suffer; we cannot save them from this."

Now, whatever their Lordships might think of the prudence of that communication, there was no doubt it was an exceedingly courageous utterance on the part of the Government of India. At any rate, it was a clear, distinct, categoric statement that "no man, woman, or child should die of starvation." And now he wished to ask Her Majesty's Government how that engagement had been fulfilled—how that distinct and emphatic promise had been kept? He admitted that he put the question with some misgiving; because the noble Marquess the late Secretary of State for India (the Marquess of Salisbury) had already, in a despatch to which he (Lord Napier and Ettrick) had alluded, given it a very discouraging reply. The noble Marquess said—

> "I am not of opinion that any useful result would be obtained by instituting a special inquiry into this point, even if there was the slightest hope that trustworthy statistics could be collected as to the mortality due to famine alone."

He regretted exceedingly to find himself at issue with the noble Marquess, for whose authority he had the greatest respect, and in whose sentiments with regard to India he had perfect confidence; but, at the same time, whilst differing from the noble Marquess, it was a consolation to him to know that the noble Marquess was also at issue with the Government of India on this point. That would be seen from a despatch addressed by the Secretary of the Government of India to the Secretary of the Government of Madras in October, 1877, in which it used the following language:—

> "As there must be some doubts about the accuracy of the returns of deaths furnished from the distressed districts during the past season, I am directed to suggest that at the end of the famine steps should be taken to take a census of selected Talooks in different parts of the famine country. It is very desirable to ascertain how far the numbers of the rural population may have been affected by the famine."

Now, as the noble Marquess (the Marquess of Salisbury) had distinctly stated that, to his mind, it was not desirable that any inquisition should be made into the subject, he desired to lay before their Lordships the reasons which induced him to press an inquiry upon Her Majesty's Government. One reason was, that he thought it was necessary for the satisfaction of the Government and the people of Madras. The Government of Madras, in dealing with the famine that had desolated their country, were not left to their own judgment. They were twice corrected and superseded by the Government of India. The first occasion of the supercession was the mission of Sir Richard Temple to Madras. Sir Richard, acting under the Government of India, imposed upon the Government of Madras his own views as to famine relief, alike as to the methods of classifying those in distress, the system of public works, and the scales of diet. To all these demands the Government of Madras—whether willingly or not, he did not know—had to accede. The second occasion on which the Government of Madras was superseded was when the Viceroy entirely overturned the civil constitution of the Government of Madras, and established in its place the authority of a dictator, assisted by an adlatus, in the person of General Kennedy, a Bombay officer, and certainly an officer of the highest ability and distinction. Now, considering that the Government of Madras—a very ancient Government, and one that had always shown a high sense of its responsibilities—had been called upon to make a sacrifice of its functions, that would at least be a consolation to that Government to be made aware—as it was certainly due to them they should be made aware—as to what extent the sacrifice had or had not been made in vain. He also asked that some information should be given as to the mortality in Mysore. Mysore was a name that had become rather dimmed in the memory of the present generation—it was receding, so to speak, with the distance; but, nevertheless, it was a name that was not altogether unfamiliar to living man. And if there was any part of India in which no man, woman, or child should die of hunger, he ventured to affirm that it was the Province of Mysore. The Native territory, no doubt from motives both of humanity and policy, had been taken by the British Government, its administration being placed in the hands of an Executive, consisting chiefly of members of the covenanted, but partly of uncovenanted Services—a well-trained and disciplined body. This was done in order that, a few years hence, the administration might be transferred, with confidence and safety, to Native hands. Mysore, moreover, was one of the most perfect and best organized military stations on the Peninsula of India. The station at Bangalore was occupied by troops representing every arm of Her Majesty's Service, and was always commanded by an officer of superior intelligence and ability; so that their Lordships would see that there were no lack of agents ready to spend their best energies in carrying relief to the distressed inhabitants of the Province. Again, the country was in railway communication with Madras; it was traversed in all directions by roads very superior to those in many other parts of India; there was a great number of small irrigation and other such works affording peculiar facilities for the employment of unskilled labour; and, above all, there was at least one large work in operation, upon which the labour of a large part of the population might have been concentrated, and by which the intensity of the famine might have been considerably mitigated. Mysore, in short, as he hoped he had shown, was a very favourable site for the employment of famine labour. Mysore was a sacred trust to England; and he wanted to know how that trust had been administered? Now, in the month of February, 1877, Sir Richard Temple visited Mysore, and reported to the Government of India that he considered the operation of famine relief there was going on satisfactorily. Two months later he again visited Mysore; and, having inspected and criticized the system of relief, reported as follows to his Government, on the 6th April:—

> "When the failure of season which is now going on for the third year consecutively is remembered, these numbers—that is, the numbers employed — appear very moderate, and show, firstly, that the people must be in good condition, and must have some self-sustained power; and, secondly, that the authorities are administering relief very carefully and economically. Again, the results of relief administration in Mysore will compare favourably with the neighbouring districts of the Madras Presidency. Again, I am still of the opinion expressed in my Minute, dated the 14th February, that the Government of India and the Chief Commissioner may be satisfied with the progress of relief affairs in the Province of Mysore."

Thus they had it upon record, that the Commissioner of the Government of India, after two visits to Mysore, professed himself perfectly satisfied with the system of relief being conducted in the Province. But about five months after the second of those visits, the Viceroy, in consequence of reports which had reached him, and moved, no doubt, by a humane and intelligent curiosity, personally visited Mysore, and this was the account His Excellency gave of the state of things he found there—

> "I am forced to the conclusion that matters are even worse than I had anticipated; that the provision of proper relief works has been entirely neglected; that gratuitous relief—which had increased to an inordinate extent—had been administered in a lax and unsystematic manner; that crime had greatly increased; that people were wandering from Mysore into other districts in vast numbers; and that the mortality, both in hospitals and among the wanderers, was terrible."

Lord Napier and Ettrick

Now, it must naturally occur to their Lordships to ask what was the cause of the great discrepancy between the impressions of Sir Richard Temple and the impressions of the Viceroy himself? Was it that the system inaugurated, or, at least, approved, by Sir Richard Temple, contained the seeds of failure and disaster; or was it, that between the last visit of the Commissioner and the visit of the Governor General, the local authority had sunk into culpable indifference and neglect? He did not propose to say anything in regard to that question until it had either been ratified or disputed by the testimony of official persons. All he could say was, that the most terrible accounts had reached him, in common with many others, as to the mortality at Mysore. According to eye-witnesses, scenes the most tragical and afflicting had taken place even in the vicinity of the largest towns. He was assured, from a source in which he placed great reliance, that in the district of Tromkoor, in the State of Mysore, one-third of the population had disappeared, and that the highways and fields were full of human bones. Well, another reason why he asked Her Majesty's Government to give him the most reliable information they could command on the subject was, that the erroneous and exaggerated estimates as to the mortality now in circulation might be corrected. Dr. Cornish, the sanitary Commissioner for the Province—who, from personal knowledge, he could assure their Lordships was a gentleman of great ability, and who, he was sure, wrote under a high sense of his responsibility—estimated, in one of his Reports, that the diminution of population in the Province of Mysore alone would amount to one-fifth or one-sixth of the total number of inhabitants, which would be about 2,500,000. The sanitary Commissioner's Report — made to the Secretary of the Government on the 8th May, 1877—was as follows:—

> "I have grounds for supposing that the population of the affected districts will be reduced in 18 months' time by one-fifth or one-sixth of the number living before the scarcity commenced. This is an estimate, of course, only based on the current birth and death-rates, and the present generally enfeebled condition of the working classes in the affected districts."

Again, the estimate formed at Madras, at the end of 1877, was that the total diminution of population over all the districts of India affected by the late scarcity would amount to about 3,000,000. He was bound to admit that more moderate estimates had been formed by a gentleman of very extensive experience in the affairs of India, and one who in his time had rendered important service to that country—namely, Dr. George Smith. He estimated that the loss of life in Madras, Mysore, and Bombay, might be put down at 1,500,000. On the other hand, the correspondent of *The Times*, writing, as he supposed, under some sense of responsibility, and with some knowledge of the facts, estimated the diminution in the Presidency of Madras at 3,000,000 souls, and that the total reduction of population in the famine districts would not be much below 6,000,000. He (Lord Napier and Ettrick) had himself estimated the loss in Madras at 600,000. He would not venture to form any estimate as to Mysore; but if it should turn out that the diminution was less than 400,000 he would be extremely happy. The last estimate he should quote was the estimate of the Viceroy himself. In a Minute written by the Viceroy on the 12th of August, 1877, His Excellency stated—

> "In regard to the main object of relief operations—namely, the saving of human life, much, but not complete, success has been attained. In some tracts relief operations began too late. At centres of population like Madras and Bangalore, and on some of the roads leading to such centres, starvation deaths have occurred. The death-rate from cholera, dysentery, and such-like diseases has greatly increased over large areas; but, on the whole, the worst evils of famine have so far been successfully averted over the vast tracts visited by failure of crops. According to the standard of mortality during the Orissa Famine, from 3,000,000 to 4,000,000 of people, instead of only 500,000, must have died of famine in Southern India during the year 1871 if the guaranteed railways had not existed, and if Government had incurred no outlay on relief operations."

The estimate of the Governor General of India was, therefore, that about 500,000 people would die of famine in Southern India in the year 1877. In addition to all these estimates, the most painful and alarming of rumours had reached this country at various periods during the present year as to the mortality in other parts of India, which up to recent times had not attracted so much attention or inspired so much sympathy. Another reason which had induced him to ask Her Majesty's Government for information was, that the amount of mortality which had occurred during recent famines could not fail to cast a great deal of light upon the various methods of famine relief which had been attempted, upon the various classifications which had been made of the population, upon the various tests of want which had been discovered, upon the amount of wages which could be afforded and offered, upon the different descriptions of diet which had been recommended. The amount of mortality, and the methods adopted to lessen it, could not fail to throw considerable light upon the two capital questions which had been discussed by rival authorities in this country—namely, the nature of the works which afforded the best relief in times of famine to the suffering population; and also the amount of nourishment which the Native in Southern India requires to preserve him in life and working efficiency. Again, he asked the information for the satisfaction of the Government of India. Their Lordships had heard that the Government of India had admitted that it would be desirable to obtain information; and he did not think the Government of India should be disappointed in their evident wish. And, finally, he asked for information for the sake of truth. It was a valuable discipline for Governments to be obliged to tell the truth, and the whole truth, in circumstances of calamity; and it was a valuable lesson for the country also, that the people should have an unsparing and unvarnished report. Two or three nights ago he heard the noble Lord who had lately charge of the Government of India draw a lamentable picture of the condition of the suffering inhabitants of Asia Minor under the tyranny of the Porte; and he thought that his noble Friend, and some other noble Lords who spoke subsequently, contrasted the condition of the population of Asia Minor in its present trials with the state of the population which was subjected to the humane administration of the Government of India under our beloved Sovereign. When he heard that parallel, he felt that natural satisfaction with which any Englishman listened to an eulogy upon the administration of his countrymen. But a certain feeling of chillness and humility stole over his mind when he suddenly remembered that, in the fullness of our power in India, and in a district which for the most part had been under very humane and enlightened administration for nearly 100 years, and in the complete enjoyment of peace for nearly that period — with all these advantages, during the last year 1,000,000 people had probably died of famine. He thought it was a reflection which might inspire them with some charity towards other Governments and Administrations far less favourably placed. He also thought Her Majesty's Government was bound to tell the truth, and the whole truth, as far as they possibly could, respecting this calamity, to the people of England, because Her Majesty's Government had recently silenced one of the voices of the people of India. It was far from his intention to vindicate the Native Press of India in all times and in all respects; but, at least, that Press was one channel and agency by which they could occasionally be told the truth about such matters as were connected with the famine, although it was also very frequently employed in the dissemination of error, delusion, and dissension. The House might now think that he had urged valid and substantial reasons for asking Her Majesty's Government to tell the truth, and the whole truth, upon this matter; but his request would certainly be an unreasonable one if the information which he asked for was impossible of being obtained. The noble Marquess, who was recently Secretary of State for India, in a long and ably-worded paragraph in the despatch he had alluded to, argued that it was impracticable to give this information. Now, he (Lord Napier and Ettrick) did not think that an approximation was impracticable, and he would give them his reasons for it. Two methods were in use for estimating the loss of life. One might be called the census method, and the other the death-rate method. The census method might be thus described. The population of a particular district or town was ascertained or estimated by a local authority, and the normal increment was also estimated. The population being thus known on 1st January, 1877, the population enumerated on 1st January, 1878, was compared with it, and the diminution set down to the charge of the famine. That was the system on which had been framed some of those very high and, as he thought, exaggerated, estimates to which he had alluded. No account was taken of any emigration, though nothing was more certain than that one of the first results of famine in a district was the desertion of it by those who were in a position to remove elsewhere. There was a period in the history of a famine when all the bonds which united society were suddenly dissolved, and when the population either sat down on the floors of their cottages to die, or were dispersed to the four winds. It was impossible, therefore, to arrive at correct statistics by comparing the population at one time with the population at another. The death-rate method was far more correct. By it they took the number of deaths in a year, or the average number of deaths in a series of years. They compared the number of deaths registered in the previous year with the number of deaths registered in the famine year; and, after deducting the number of deaths from cholera, or any specific disease particularly prevalent, they set down the difference of deaths in the famine year compared with the number of deaths in the previous year to the charge of the famine. The noble Marquess had stated in his despatch that this method was not a fair one, for this reason—that in ordinary years the deaths were not accurately registered—the full number was not registered; whereas in the famine year, the vigilance of the authorities being peculiarly addressed to the task, all the deaths would be registered; and that, therefore, the excess of registered deaths in a famine over an ordinary year did not really mean the number of deaths directly or indirectly caused by the famine. He (Lord Napier and Ettrick) firmly believed that this was an error. He admitted that the registration was not complete; but statisticians in India knew what number it was necessary to add to the normal registration in order to represent the real number. He affirmed that the registration of deaths in a famine year was far less complete than in an ordinary year. First of all, because the Native authorities, who looked after it, were overborne with the quantity of other business they had to perform; secondly, because they were in a state of consternation, and were interested, in some degree, not to swell the number of the deaths of the poor people; and, thirdly, because a number of the starving people left, and died in other districts. He, therefore, contended that this method of estimating the number of deaths was more likely to represent a smaller than a larger mortality than the actual one. Such, he knew, was also the conviction of a great number of persons who were versed in these things. He thought, therefore, that by an appeal to the death-rate method a very fair approximate return might be made of the number of persons who had died by famine. In bringing this matter before their Lordships, he had not in the least degree been impelled by a desire to criminate either Her Majesty's Government or the authorities in India. On another occasion he had admitted that all the measures that had been adopted by the Head of the Government, and supported by the noble Marquess who was lately Secretary of State for India, and the measures that had been adopted in India, had been calculated to promote the welfare of the people of India, and to cement the connection of England with India by new and more powerful bonds; and he certainly desired now to do justice to the authorities to whom the destinies of India were committed. He recognized the ability and efforts of the Viceroy, of Sir Richard Temple, of the Duke of Buckingham, and of our many other officials, English and Native; but all the best efforts of men, in either high or subordinate positions, would not save us from calamitous results, due in part to erroneous resolutions and measures conscientiously adopted; due in part to the friction of a complicated system of government; and due in part to the incapacity of some individuals, accidentally intrusted with public functions repugnant to their inclination, or above their strength; but due, above all, to natural forces operating with overwhelming power. If these calamitous results had not occurred, let the Government say so, and no one would rejoice more than he; but if they had occurred, it was not consistent with a policy of morality that a vast number of humble human lives—lives of Her Majesty's subjects—should disappear like drops of rain upon a distant sea, unnoticed, unlamented, and unknown. He asked the Question of which he had given Notice.

VISCOUNT CRANBROOK said, that when the noble Lord gave Notice of the Question he had addressed to the Government he understood that he was going to call attention to the despatch of the former Secretary of State for India, and to ask a Question in relation thereto; but the only part of his Notice to which the noble Lord had given little attention had been the despatch of the noble Marquess who preceded him in the India Office, and he had, therefore, left their Lordships in ignorance of the difficulties which the noble Marquess had pointed out as being in the way of getting at the truth. He (Viscount Cranbrook) positively denied that there had been, on the part of the Government, either a desire or endeavour to conceal anything in respect to these matters. The mere fact, that one of the last acts of his noble Friend, his Predecessor in the India Office, was to appoint a Commission to inquire into everything that had taken place, with the view of preventing any such calamities in future, or mitigating them if they occurred, would show that the noble Marquess had not been in the least insensible to the great catastrophes that had occurred in Southern India. The question to be decided was, was it possible to arrive at any accuracy in this matter; and, if it was not, was it desirable that they should prematurely put before the country inaccurate statistics with respect to these famines? The noble Lord quoted one sentence from the despatch in which it was admitted to be one of the first duties of a Government to save a people under its care from starvation; and this was a duty which was certainly undertaken with great wisdom and energy by men of character and ability fitted for the duties imposed on them, who were spread over the famine districts and who greatly mitigated the distress. There was a failure at Mysore in the early period of the distress, but that remissness was censured by the Governor General of India; and the noble Marquess who was Secretary of State for India concurred in the unfavourable notice taken by His Excellency of the management of some of the officers at Mysore. There was no concealment in what was said about what happened. The Viceroy himself went into the famine districts there and put a stop to the mismanagement. The noble Lord said the Government were under a greater obligation to tell the truth, because they had silenced the Native Press. But the Press was free to write as it liked about the deaths by famine. If the Native Press could afford the Government accurate information, the Government would be only too glad to get it. It seemed to be supposed that nothing had been done. Statistics, however, were being collected in India, and no time would be lost in placing them, when as complete as they could be made, before the House. A few days ago his hon. Friend the Under Secretary of State for India moved for these Papers in the House of Commons, and on this day he (Viscount Cranbrook) placed them on the Table of this House, and no doubt they would soon be printed and in the hands of their Lordships. He would be deceiving their Lordships if he said they contained a full and accurate record of the facts. While they might have accurate statements in regard to one Province or famine, the information regarding another might be anything but thoroughly reliable. He admitted it with sorrow, and to a certain extent with shame, that the Government should not be in a position to meet distress in such circumstances. But the distress had been unprecedented. There had never been anything like it before. Many of the people lived in remote places, and were spread over a great area, and the very first thing they did in a famine was to emigrate from their villages and wander into the jungles in the hope of finding food; and so they disappeared from the paternal care of the Government. As had been officially pointed out, a comparison of the mortality in Southern India during the famine with that at other times was sufficient to show that the system of registration there was very imperfect, and that the number of deaths had been inaccurately stated. Where the normal mortality was unknown, it was useless to attempt any calculations having reference to the special statistics of the famine. Then there was another difficulty in the way of making any accurate estimate—namely, the extraordinary decrease of births. That, in itself, would account for a material diminution of population.

Lord NAPIER and ETTRICK said, that would apply to the census.

Viscount CRANBROOK admitted that it would. There was, in addition to this, the element of emigration to be considered; so that the noble Lord would see that it was quite out of the power of the Government to give him any definite figures on the subject. He was ready, however, to place before the noble Lord—and, indeed, had already placed—all the information and materials which the Government itself possessed; but even then, and after all, any result arrived at must be very much a matter of speculation. He admitted that the famine had been a most sad and terrible calamity for India. The sufferings in Madras and Mysore must have been excessive; but he was rejoiced to learn, from Returns received that very day, that there were greater hopes for those districts and for Bombay than had been entertained during the past few months. The Press referred with certainty to the improved harvest prospects; and the Government were encouraged, therefore, to anticipate that a great relief would be given to the pressure of past years. By that pressure the Governors of the affected Provinces had suffered an anxiety and a strain of mind which it was impossible to exaggerate; and he felt that it was not now the desire of their Lordships to add to that strain and that anxiety. The officials had done their best to mitigate the calamity. In some respects they had been unfortunate—in some cases they had failed—still, there had been great successes and noble exertions; and although he could not say that they had put a complete stop to the famine, yet there was not a man in the country who had not done his best to put a stop to its ravages.

FRESHWATER FISH PROTECTION BILL—(No. 155.)

(*The Earl of Morley.*)

SECOND READING.

Order of the Day for the Second Reading, read.

The Earl of MORLEY, in moving that the Bill be now read the second time, explained that several sections had been engrafted on the original measure by the Committee of the House of Commons. By Clause 2, it was provided that the Act, so far as was consistent with the tenour thereof, should be read as one with the Salmon Fishery Acts of 1861 and 1876; whilst Clause 5 directed that sections 8 and 9 of those Acts—which relate to fishing with light spears and other prohibitive instruments, and to using roe as a bait—should apply to trout and char in all waters within the limits of the present Bill, one of the objects of which was to make a close time for the selling, in addition to that for the catching, of trout. The 11th and principal clause referred to fresh-water fish, more generally known as "white" or "coarse" fish. With the exception of those in Norfolk and Suffolk—which counties last year obtained local Acts of their own, and of the Thames, where the fishing was controlled by the Conservancy Board—the rivers of the country were entirely without any kind of protection for that sort of fish; and he thought it was hard upon the poorer classes, who were chiefly concerned in the preservation of freshwater fish, that their fish should not come in for some of that maternal care which Government had lavished upon the birds of the air and the creatures of the earth. Their Lordships would probably be surprised to learn the enormous interest taken in the kind of sport afforded by coarse fish. It was stated, in evidence before the Committee of the House of Commons, that there were no less than 80 fishing societies, comprising 50,000 members, in existence. At Sheffield, there were 8,000 members enrolled; in Birmingham, 3,000; and similar numbers in the great manufacturing centres. To his mind, it was of great importance that the people working in close shops and factories during the day, and sleeping in small or crowded rooms at night, should have afforded them the opportunity of indulging in a harmless and an invigorating sport on the banks of the rivers in their several localities. There was, too, a market for this kind of fish—it might not at present be a very large one, but still there was a market—and to that extent the sport, which it was now designed to protect, added to the food supply of the nation. It was generally considered by the Select Committee, that the fairest period at which a close time could be fixed for freshwater fish, was that from the 15th March to the 15th June, and accordingly that period had been adopted in the Bill. There were four exceptions under the 11th clause. Sub-section 3 was not to apply to the owners of any "several fishery" where trout, char, or grayling were specially preserved, destroying within such fishery any freshwater fish other than grayling; to any person angling in any "several fishery" with the leave of the owner of such fishery, or in any public fishery under the jurisdiction of a Board of Conservators with the leave of the said Board; to any person taking freshwater fish for scientific purposes; or to any person taking freshwater fish for use as bait. The 4th sub-section provided that any person catching or selling freshwater fish during the close season should be liable to a fine not exceeding 40*s.*, and on a second conviction to a fine not exceeding £5. The Bill did not apply to Norfolk and Suffolk.

Moved, "That the Bill be now read 2ª."—(*The Earl of Morley.*)

Motion *agreed to:* Bill read 2ª accordingly, and *committed* to a Committee of the Whole House on *Thursday* next.

WEIGHTS AND MEASURES BILL.

(*The Lord Henniker.*)

(NO. 161.) SECOND READING.

Order of the Day for the Second Reading, read.

LORD HENNIKER, in moving that the Bill be now read the second time, said, that the measure simply consolidated a number of existing Acts, some of which had been found to be obscure and in some cases contradictory. Of course, in a Consolidation Bill it was impossible to avoid introducing some new matter; but, in the present case, what new matter there was arose out of the process of consolidation itself, out of the need for removing doubts and inconsistencies and correcting mistakes, or out of certain Amendments inserted by the Select Committee of the House of Commons. That new matter would make the Bill practically complete as a consolidating measure, and would go far towards establishing an uniform system of weights and measures throughout the Kingdom. The Bill was brought into the House of Commons and referred to a Select Committee, who went most carefully into the measure and took evidence on the subject, the result being that the Bill now came before their Lordships in as perfect a shape as possible. A great deal of trouble was taken in drawing the Bill, and in that respect the Government were fortunate enough in securing the services of a gentleman who was not only acquainted with the legal questions concerned, but was well versed in the scientific part of the subject. It was, therefore, very doubtful whether at any other time, or under any other circumstances, the matter could have been dealt with more satisfactorily. The Bill, it would seem, gave a more scientific definition of the various standards in use; and it laid it down most clearly and distinctly that only one standard—that was, the imperial standard—should be used in all the trades of the country. Although a consolidating measure, the Bill did not interfere with any of the old jurisdictions except in the way of laying down certain rules for the proper performance of the duties cast upon them. The metric system was practically recognized in the Bill, but without making it part of the imperial system of standards. Those who advocated the metric system should, he thought, be content with what was given in the Bill; for if it were found to work well, no doubt their argument for its general introduction would be very much strengthened. On the other hand, if it were not found to work well, there would not have been any disturbance of existing arrangements. The Bill, at any rate, went far enough in the direction of the metric system for the present. The chief object of all legislation on this question should be the maintenance of just dealing between buyer and seller; and in the present Bill that was secured without unnecessarily disturbing existing methods or arrangements, and without undue interference with local authorities. He believed that the Bill would place not only the law, but the whole system of weights and measures, on a more satisfactory footing.

Moved, "That the Bill be now read 2ª."—(*The Lord Henniker.*)

Lord COLCHESTER observed, that it was now eight years since the Royal Commission appointed to inquire into this subject had concluded their work; and as one of those who had taken part in it, rejoiced that the Government had at length introduced a measure of this kind. He only regretted that as it in some respects went beyond mere consolidation, it did not go further. As contracts were legalized in terms of the metric system, and provision was now made for verifying metric standards, he did not see why metric weights and measures should not be allowed to be used for the purposes of trade, where both buyer and seller desired it. The only precaution necessary, besides stamping them with their proper denominations, would be that they should be of a different shape or material from any imperial measures. He also thought that the clause relating to boroughs not having separate quarter sessions should be imperative, rather than permissive, as those small municipalities had no particular fitness for acting as local authorities in regard to weights and measures, many of their members being tradesmen, whose own weights and measures required vigilant inspection. He also wished that the Board of Trade had taken the power of initiating bye-laws to be pressed on the local authorities, instead of simply allowing them to submit bye-laws for the Department's approval, as he believed great advantage would result from the drawing up of model bye-laws by the Department. He also deprecated the obsolete system of annoyance juries and the powers of Courts Leet over inspection. He trusted the Bill would be a prelude to, not a substitute for, a bolder and more comprehensive measure dealing with the subject.

The Earl of DONOUGHMORE said, he had no desire to detain their Lordships; but there was one point in connection with the subject under discussion to which he desired to call their Lordships' attention. The Bill did not contain any provision for remedying the system under which the local standards in Ireland had to be sent over to this country for examination. It was necessary that these standards should be sent over to London in the custody of a sub-inspector of police and a police constable; and as this had to be done at stated intervals—namely, every five years—it became in itself a very expensive business. When the standards reached this country they had to remain a considerable time before verification. The money for the expense thus incurred had to be voted by the Grand Jury of each county out of the county cess, and frequently it was a heavy charge. He had made inquiry the other day what the charge was in his own district, and he found that the sum of £29 was paid last year out of the county cess for this purpose; the standards being sent over to England in charge of a sub-inspector of police and a constable, who were in London three weeks doing nothing, while the standards were waiting to be properly verified. If he were to put the average cost at £35 in each of the 32 counties, this would make a total of £1,120 every five years, or an average of £224 a-year. What he had to suggest to his noble Friend who had charge of the Bill was that some means should be found of lessening this expense to Ireland. It might easily be done by the present Bill, and it was not a new question, because the matter had been brought under the attention of the Government before, but the suggestion was not carried out at the time, as it was held that the period was inopportune, and that they should wait until the whole subject could be legislated upon. Well, the time had now arrived when they were proposing to legislate on the whole subject; and he, therefore, suggested to his noble Friend (Lord Henniker) that standards should be established in Dublin which should be the imperial standards for the rest of Ireland, and that these standards should be subject to verification every five years in England. This would save a great deal of money in the shape of travelling expenses, and it would also save a great waste of time. In saying this, he would draw attention to Clause 37 of the Bill, from the perusal of which it appeared that it was quite in the power of the Board of Trade to deal with his proposal as to Ireland in the present measure. The clause set forth that the Board of Trade should cause to be prepared standards, to be verified in such places as the Board might think fit, where they might correct the standards of any local authority. Now, if this clause would allow the Board of Trade to establish standards at such places as Manchester and Liverpool, where the standards of the local authorities might be verified without the expense of coming to London, the same course might be taken with regard to Ireland, by establishing similar standards for verification in Ireland. He hoped his noble Friend would see the necessity of doing something for the purpose of extending this privilege to Ireland. If this suggestion were not agreed to, he should be prepared to move an Amendment when the Bill got into Committee; but if his noble Friend could give him any assurance that the suggestion would be entertained, it would be unnecessary for him to take that course.

EARL FORTESCUE desired to call the attention of their Lordships to the peculiar character of the legislation in this country. He rejoiced that three years after the Report of the Royal Commission that was appointed to investigate the subject a consolidated statute was passed, which was likely to be of great value to Continental countries in reference to this subject. Having himself taken some part in carrying that measure, he naturally felt some interest in the matter. An Act to render permissive the use of the metric system of weights and measures had been passed; and although the question had rather retrograded than advanced in public favour within the last few years in this country, yet in other countries the system had extensively been adopted. It had been adopted absolutely throughout Germany, Italy, Spain, and other countries, altogether containing a population of more than 200,000,000, and permissively in various others, such as the United States, &c.; but this country—a country carrying on the largest commercial transactions in the world—had, as yet, refrained from adopting it. He held that the metric system had become more and more necessary to England under her system of Free Trade; because she was the great depôt for merchandize of all sorts from all the countries of the world. It certainly did seem to be a matter for great regret that, while the Act rendering the use of of the metric system legal for contracts was embodied in the present Bill, yet, practically, the use of those weights and measures could not be rendered conveniently available, because no unverified weights and measures could be legally used, and under the Bill metric weights and measures could only be verified for scientific purposes—it being expressly provided that they were not to be verified for trade purposes. It was suggested that it was desirable for metric weights and measures to have a different shape to the ordinary weights and measures prescribed for them by law, in order that they might be easily distinguished from each other; but this seemed hardly a valid reason for referring those who had occasion to verify contracts and dealings, which they could legally make under the metric system, to a table such as that contained in the Bill, instead of to metric weights and measures verified by the standard recognized in the Bill. The metre was one of the measures most used under this system, and in order to verify the metre, recourse was to be had to an equivalent in British dimensions, which was set forth as 1 yard 1·3708 inches; giving four places of decimals. He thought that in legalizing contracts on the metric system Her Majesty's Government should have sanctioned the adoption of the metre itself, which was a measure now in use among upwards of 200,000,000 of the inhabitants of the globe. With regard to the litre, on which the metric measure of liquids was based, considering the large proportion of fluids sold under the metric system, how unnecessarily difficult was the equivalent given in Britsh quantities rendered as 1·76077 pints, with no less than five places of decimals, while the gramme, which was the foundation of the metric system of weights, was equally rendered by five places of decimals. He could not help expressing a hope that Her Majesty's Government might see their way to sanctioning some rather more convenient mode of verifying contracts than the legalizing of equivalents such as he had just read from the Bill, and which extended to so inconvenient a number of decimals. He did not wish to detain their Lordships longer than by saying that he fully endorsed what his noble Friend had said as to the small municipalities. In Devonshire there was a number of very small ones; and he did not see that because they enjoyed the privilege of quarter sessions, that places containing less than 4,000, and some less than 3,000, inhabitants, should have quite such extensive powers confined to their petty local authorities as were to be preserved to them by the present Bill. On the whole, however, the Bill was one which he regarded as a very valuable measure, and the last thing he would do would be to make any attempt to delay its passing.

LORD HENNIKER remarked, that the Board of Trade had had the assistance not only of scientific men in preparing the Bill, but they had also had the most valuable information collected by the Royal Commission of 1870, over which his noble Friend behind him (Lord Colchester) had presided. He was glad that his noble Friend approved of the Bill, although he wished it to go further than it did. The Commission obtained a great variety of valuable information; and if his noble Friend desired to bring forward any Amendments, they would have the consideration of the Board of Trade. With regard to the point that had been brought forward by another noble Lord (the Earl of Donoughmore), he might say that no doubt, under the 37th clause of the Bill, what the noble Earl proposed might be carried out, provided there was no substantial objection against it, and it was possible that there might be such an objection on considerations of finance. He could not give the noble Earl more specific information at present; and he would suggest that the best way would be for the noble Earl to put down what it was that he desired to include in the Bill, so that it could receive due consideration before the Bill went into Committee.

Motion *agreed to:* Bill read 2ª accordingly, and *committed* to a Committee of the Whole House on *Thursday* next.

ROADS AND BRIDGES (SCOTLAND) BILL.

(*The Lord President.*)

(NO. 157.) COMMITTEE.

House in Committee (according to Order).

Clauses 1 to 36, inclusive, *agreed to.*

Clause 37 (Roads formerly turnpike not wholly situated in one county or burgh).

THE EARL OF CAMPERDOWN took exception to sub-section C. He said, the Bill proposed to re-value the debts on turnpike roads; and he wished to submit that the proper course to be taken was, that after the debts were re-valued any assets belonging to the trusts, in the shape of toll-houses, gates, and other property, should be sold, and the proceeds applied to the diminution of the debts, as far as such proceeds would go, the nett debt being then divided, as the Bill proposed, between the counties and burghs interested. But the proposition made by sub-section C appeared to him to be highly objectionable, inasmuch as it proposed a very different distribution of the assets of the turnpike trusts. It proposed that the assets should be given freely to the new trustees, or managing bodies of the roads, in the counties, and the municipal authorities in the burghs, and divided between the two simply according to the principal of local situation. It seemed to be forgotten that the property was not theirs; that the toll-houses were not built by them; and that neither of the two new bodies had been called on to maintain them. The road trustees, who were the landowners in counties and burghs, were called on to pay the debts; and, therefore, it appeared to him the proper course that the usual method should be observed in this matter—the plan which he believed had been followed in England—namely, that all the assets should be realized, and applied to the reduction of the debts. He would put a case, with the view of illustrating what he meant. Let them suppose an instance in which there was a debt of £1,000 on a turnpike road, and that there were toll-houses and gates on the road to the value of £300. The natural supposition would surely be, that when the trust came to an end the £300 should be realised, and the £1,000 debt thereby reduced to £700; whereas the proposal contained in this Bill was to give the £300 away to the new bodies, and to assess the whole of the £1,000 on the landowners. This proceeding appeared to him to be a most extraordinary one, and he submitted that it ought not to be sanctioned by the House.

THE DUKE OF RICHMOND AND GORDON regretted that he could not altogether agree with the noble Earl opposite (the Earl of Camperdown). To a certain extent he saw the force of the objection the noble Earl had raised; but to accept the principle which he had put forward with reference to this point would be to entirely depart from the lines on which the Bill had been drawn. By Clause 44 the landowners would get the benefit of the toll-houses and property sold; but the noble Earl's proposal, as far as he could gather, was to provide that all those houses should be sold compulsorily. Now, the provisions of the Bill were based on the proposition that it might be in some cases useful and advisable that the toll-houses should be retained; and it should be remembered that the exact proportion of the debts and the money that might be produced was to be decided by the Debt Commissioner, who was to be called in for that purpose. He thought that on reflection the noble Earl would see that in some cases it might well happen that the road trustees ought not to be required to sell at once, but should act voluntarily and justly between all parties.

THE EARL OF CAMPERDOWN said, that according to the Bill as it stood, the toll-houses would be sold, and the purchasers would purchase from whom? Not from the turnpike trustees, nor the persons who had to pay the debt, but from the new managing body, and the result would be that the money paid for the toll-houses would go, not in the reduction of the debt, but simply to the bodies to whom they were to be transferred.

THE DUKE OF BUCCLEUCH quite agreed with the noble Earl opposite; and thought it never could have been intended that when the toll-houses were sold they should go towards the ordinary yearly expenses of the new body, but that any sum realized by their sale should be applied to the payment of the debts due from the trustees. He wished to add that some alarm had been expressed by different persons as to the wording of the clause. The sub-section said—

> "All lands, heritages, works, and buildings belonging to the trust locally situated within any county or burgh shall be the property of the trustees of such county or local authority of such burgh, within which the same are so situated, or the trustees having the management of such road, as the case may be, and shall be applied and used or may be sold and disposed of under the powers and for the purposes of this Act."

His understanding of the nature of the Bill was that all the property of the old trustees should be transferred to the new trustees, not as their absolute property, but merely as a transfer in trust to them, and that then they should exercise the powers given by the Bill, He would, therefore, propose to strike out of the clause the words "shall be the property of," and insert the words "shall hereafter be transferred to."

THE DUKE OF RICHMOND AND GORDON said, he was willing to accept the Amendment of the noble Duke.

Amendment *agreed to.*

Clause, as amended, *agreed to.*

Clauses 38 to 40 *agreed to.*

Clause 41 (List of highways to be made up. Alteration of list).

THE EARL OF CAMPERDOWN pointed out that, as the clause stood, the result would be that any roads added to the list of public roads within the last two years would not be maintained out of the public funds. He, therefore, moved to omit the words "for not less than two years."

THE DUKE OF RICHMOND AND GORDON said, he had no objection to the omission of the words referred to.

Amendment *agreed to;* words *struck out.*

Clause, as amended, *agreed to.*

Clauses 42 to 88, inclusive, *agreed to,* with Amendments.

Clause 89 (Special provision for highways in counties of Lanark and Renfrew).

THE EARL OF ROSEBERY said, he had set down upon the Paper a variety of Amendments to the clause; but he was of opinion, on reading them over thoroughly, that they would not stand against the previous ruling of the noble and learned Lord on the Woolsack. He would, however, ask the House to pass one Amendment. If they would not consent to restore the Bill to its original state, he hoped they would agree to strike Clause 89 out of the Bill. He had noticed that the noble Duke opposite (the Duke of Buccleuch) had that evening presented another Petition against the clause; and if it were omitted the counties of Lanark and Renfrew, and the City of Glasgow and the adjacent townships, would be left to be dealt with in the same way as other counties and burghs in Scotland. If the noble Duke the Lord President of the Council (the Duke of Richmond and Gordon) still objected to this measure of justice to the people of Glasgow, he had only to say that he (the Earl of Rosebery) should not again put the House to the trouble of dividing upon it.

Moved to omit Clause 89.—(*The Earl of Rosebery.*)

THE DUKE OF RICHMOND AND GORDON said, he could not agree with the noble Earl (the Earl of Rosebery) in thinking that the omission of the clause would be a measure of justice to Glasgow; because he believed the effect of it would be to prevent the Bill from passing through their Lordships' House that Session, and, consequently, would have to be brought once more under discussion, a measure to which everybody had been looking forward as a settlement of a much vexed question. The noble Earl must be fully aware that the subject had been before the public for many months, and that it had been discussed and considered in every possible shape. The other House had agreed to the insertion of the clause now under discussion, believing that it would put an end to a state of things which all persons connected with Scotland were of opinion should be settled with as little delay as possible. He was not quite certain whether, even if he were to satisfy the noble Earl by striking out the clause, it would not be a breach of the Privileges of the other House to do so; at any rate, though he thought this proposition quite capable of being argued, and of being argued successfully, he based his opposition to the Amendment on the fact that such a mode of dealing with this very complicated question of the roads in the vicinity of Glasgow was one which Her Majesty's Government thought not conformable to the interests of all parties. Therefore, he regretted that he was obliged to disagree with the proposal of the noble Earl.

Amendment *negatived.*

Clause *agreed to.*

Clauses 90 and 91 *agreed to.*

Clause 92 (Trustees to have power to make bye-laws) *omitted.*

Remaining clauses *agreed to,* with Amendments.

Page 67, line 30, Schedule C (Sections of 1 and 2 Will. 4, c. 43, referred to in foregoing Act) *added.*

The Report of the Amendments to be received *To-morrow.*

House adjourned at half past Seven o'clock, till To-morrow, a quarter before Five o'clock.

HOUSE OF COMMONS,

Monday, 22*nd July,* 1878.

MINUTES.]—NEW WRIT ISSUED—*For* Haddington District of Burghs, *v.* Sir Henry Robert Ferguson Davie, baronet, Manor of Northstead.

SELECT COMMITTEE — Indian Native Troops (Transport and Employment Abroad), *appointed.*

PUBLIC BILLS—*Resolution in Committee*—Intermediate Education (Ireland) *.

Resolution [July 19] *reported—Ordered—First Reading*—Prison (Officers' Superannuation) * [269].

Ordered — *First Reading* — Arranmore Polling District (Ireland) * [270]; Locomotives on Highways (Scotland) * [271].

First Reading—Supreme Court of Judicature (Officers) * [268].

Committee—Contagious Diseases (Animals) [204] —R.P.

Committee — *Report* — Parliamentary Elections (Returning Officers' Expenses) (Scotland) * [237].

Third Reading — Turnpike Acts Continuance, &c. * [245]; Metropolitan Board of Works (Money) * [251]; Drainage and Improvement of Land (Ireland) * [227], and *passed.*

NOTICE OF AMENDMENTS.

EASTERN AFFAIRS—THE MARQUESS OF HARTINGTON'S RESOLUTIONS.

DR. KENEALY gave Notice that he would move, as an Amendment to the Resolutions of the noble Lord the Member for the Radnor Boroughs—

> "That this House is satisfied with the policy pursued by Her Majesty's Plenipotentiaries at the Berlin Congress, and now feels called upon to condemn the agitation which encouraged Russia into an attack upon the Ottoman Empire, thereby seriously interfering with the balance of power in Europe and the interests of peace and commerce throughout the world."

MR. PLUNKET gave Notice that he would move an Amendment to the Resolutions of the noble Lord the Member for the Radnor Boroughs, to leave out all after the word "That," in order to insert the words—

> "An humble Address be presented to Her Majesty, thanking Her Majesty for communicating to this House the Treaty of Berlin, the Protocols of the Congress of Berlin, and the Convention between Great Britain and Turkey; assuring Her Majesty that this House has learnt with deep satisfaction the termination of the late unhappy War, and the conclusion of a Treaty between the Great Powers of Europe; and expressing an earnest hope that the arrangements made and sanctioned by Her Majesty's Government may, under the blessing of Providence, avail to preserve Peace, to ameliorate the condition of large populations in the East, and to maintain the interests of this Empire."

NOTICE OF QUESTION.

MR. RYLANDS: I beg to give Notice that to-morrow I shall ask the Under Secretary of State for Foreign Affairs, If the Government are in possession of information, confirmatory or otherwise, of a statement which has appeared in a recent letter of the Correspondent of the "Daily News," to the effect that—

> "At the Grand Council held on Monday, the Sultan announced that he only signed the Anglo-Turkish Treaty on the condition that the reforms should be subsequently defined, and that an annex to the Treaty states that the reforms in which England should aid in the execution must be in conformity with his sovereign rights and jurisdiction;"

And, whether there is any such annex to the Anglo-Turkish Treaty?

QUESTIONS.

CHURCH OF ENGLAND — QUEEN ANNE'S BOUNTY BOARD.

QUESTION.

DR. CAMERON asked the Secretary of State for the Home Department, Whether, notwithstanding the special constitution and objects and the very wide powers of Queen Anne's Bounty Board, the affairs of that trust are still, as reported by the Select Committee of the House of Commons in 1868—

> "Practically under the management of a small number of the Bishops, with the occasional assistance of a few laymen;"

And, whether any steps have been or

will be taken to give effect to the recommendations of that Select Committee, regard being had to the fact that the season is approaching when the meetings of the Board are usually suspended for a period of four months?

Mr. ASSHETON CROSS, in reply, said, the composition of this Board was fully set out in the Report alluded to by the hon. Member. The Board consisted of a large number of laymen as well as Bishops. The Select Committee, in their Report, expressed regret that a large number of lay members did not take part in the proceedings of the Board; but they added that the business of the Board appeared to be carefully and well conducted. He might add an expression of his personal regret that the lay members of the Board did not take a larger share in the work which it had to do. He thought it would be well if summonses were issued to all members of Board.

THE EASTERN QUESTION — THE ANGLO-TURKISH CONVENTION — THE TRIBUTE OF CYPRUS.

QUESTION.

Mr. PULESTON asked Mr. Chancellor of the Exchequer, Whether it is proposed to pay over to Turkey the Tribute of Cyprus, or whether it is to be retained to meet the amount owing from the 1855 Guaranteed Loan?

The CHANCELLOR of the EXCHEQUER: I presume that, by the expression, "the Tribute of Cyprus," my hon. Friend means the amount which is to be paid, as being the ascertained amount of the excess revenue over the expenditure in Cyprus, upon the average of the last five years. That amount has not yet been ascertained; but, of course, steps will be speedily taken to ascertain it. It will be a matter for further consideration in what form the payment shall be made by the one Government to the other; but, of course, when there are charges upon one Government and charges upon the other, there will no doubt be some arrangements made by which the operations will be facilitated and made more simple.

MUNICIPAL ELECTIONS—CARLISLE.

QUESTION.

Mr. CHAMBERLAIN asked the Secretary of State for the Home Department, Whether his attention has been called to the inquiry into a municipal election at Carlisle, commenced on the 26th of March last, and to the Report of the Commissioner to the effect that numerous persons, including an alderman and a councillor of the borough and a guardian of the poor, had been guilty of corrupt practices within the meaning of "The Corrupt Practices (Municipal Elections) Act, 1872;" and, whether it is his intention to direct a prosecution of the persons named in the Commissioner's Report; and, if not, why not?

Mr. ASSHETON CROSS in reply, said, that all the Papers had been laid before the Law Officers of the Crown, and he had not yet received a Report from them concerning the matter.

CRIMINAL LAW — REFORMATORY SCHOOLS.—QUESTION.

Mr. PAGET asked the Secretary of State for the Home Department, If Her Majesty's Government will undertake to deal with the case of juvenile criminals refused admission to reformatory schools, by providing some central reformatory to which such children might be sent?

Mr. ASSHETON CROSS, in reply, said, he had consulted the Reformatory Inspector in reference to the subject of the Question, and that gentleman had informed him that, in his opinion, there had not been a sufficient number of refusals to admit to justify the proposal of the hon. Member. He should be very happy to place the Report confidentially in the hands of the hon. Member if he wished it.

ARMY—THE ARMY AND MILITIA RESERVES.—QUESTION.

Mr. RATHBONE asked the Secretary of State for War, If he has made arrangements to allow the men called out in the Army Reserve to return to their families and work; and, whether he will arrange that their first quarter's pay shall be issued in advance so as to enable them to maintain themselves while they are seeking employment?

Colonel STANLEY: In answer to my hon. Friend, I am happy to inform him that Her Majesty has been pleased to command that the services of the First Class Army and Militia Reserves may be, until further orders, dispensed with. A special Army Circular was issued on Saturday, which provided that the men should be settled with up to the 31st instant; but that those men who were desirous of rejoining their families, or have got employment they could at once resume, may be allowed at once to go from their regiments without further delay. General officers and others commanding have been instructed to make such arrangements as shall insure regularity and order, and the men will be marched in parties to the rail or to the steamer, as the case may be. They will be given a free passage home; and in such cases where their families have accompanied them a point has been stretched, and free passage will be given to those families also. The men of the Army Reserve will receive plain clothes, or, where plain clothes cannot be furnished in time, a sum not exceeding £1 per man, for the purpose of providing plain clothes. Perhaps I may be allowed, at the same time, to answer a Question standing in the name of the hon. and gallant Member for Galway (Major Nolan), and to say that, with the view of avoiding any cases of distress until the men re-enter their old employment, directions have been given to advance, on their return to their stations, the remainder of this quarter's reserve pay. I think that these provisions will be considered sufficiently liberal to meet, in all equity, the circumstances of the case; and I believe that, in a very large number of instances, the men have had their private employment kept open for them.

ROUMANIA—COMMERCIAL TREATY.

QUESTION.

MR. SERJEANT SPINKS asked the Under Secretary of State for Foreign Affairs, What progress, if any, has been made by Her Majesty's Government in the negotiations with Roumania in rerence to a Commercial Treaty or Convention with that country?

MR. BOURKE: Mr. White, Her Majesty's Consul General at Bucharest, has commenced negotiations for the conclusion of a Commercial Treaty between this country and Roumania; but, owing to the absence of the Roumanian Minister at Berlin, no progress has as yet been made in the negotiations.

ARMY—THE AUXILIARY FORCES—THE ROYAL CUMBERLAND MILITIA.

QUESTION.

MR. SULLIVAN asked the Secretary of State for War, Whether his attention has been called to the state in which the main body of the Royal Cumberland Militia marched through the streets of Carlisle on the 8th instant, when, according to the report in the "Carlisle Journal" of the 9th July, "several of the men had to be supported by their comrades," others fell to the ground, and were "escorted through the station door by two policemen," "one was so drunk that he lamed his hand, and had to be taken to the hospital besmeared with blood," while "others wandered about the station in such a bewildered state that they had almost to be dragged into the carriages;" and, whether he proposes to take any steps in the matter?

COLONEL STANLEY, in reply, said, that his attention had not been called to this statement until he saw the Question of the hon. and learned Member. The commanding officer of the district, however, appeared to have noticed the statement, and to have called for a Report, from which it was evident there had been considerable exaggeration in the account of what had occurred. The men had to assemble at Carlisle, where they received their clothing and equipment, and then they had to march to the railway station to proceed to Appleby. When they paraded at the castle in Carlisle the men were steady, though on the march some half dozen men, who might have had some drink, fell out, for the day was very hot. There was no delay, however, and the man who was taken to the hospital, having fallen over a stone and cut an artery, was able to proceed to the camp the same night. Under these circumstances, he was inclined to think no further steps need be taken in the case.

THE ANGLO-TURKISH CONVENTION—INDIAN TROOPS IN CYPRUS.

QUESTION.

MR. E. JENKINS asked Mr. Chancellor of the Exchequer, Whether the Indian Troops sent to Cyprus are now to be added to the permanent forces of the United Kingdom; on what footing they will remain at Cyprus, whether that of the Indian or the English Army; whether it is intended to fill up the Indian Army to the same strength as before the withdrawal of these Troops; and, whether it is intended to introduce this Session any Bill to regulate the employment of this force?

COLONEL STANLEY: With the permission of the hon. Member, I will answer the Question he has put. In the first place, it is not intended that the Indian troops sent to Cyprus are to be added to the permanent Forces of the United Kingdom. They will remain at Cyprus on the same footing as during their stay at Malta. I believe it is not intended to fill up the Indian Army to the same strength as before the withdrawal of those troops. I think it follows, from these answers, that it will be unnecessary this Session to introduce any Bill to regulate the employment of those Forces.

TURKEY—TREATY OF BERLIN—ARTICLE 18.—QUESTION.

SIR GEORGE CAMPBELL: I beg to ask Mr. Chancellor of the Exchequer, Whether there are to be any guarantees for the performance of the promises of Turkey for the good government of the Christian Provinces and the faithful execution of the Provincial Constitutions granted; and especially, whether, after the three months allowed to a Commission to settle the Constitution of Eastern Roumelia, there is to be any "Commission of Control" corresponding to the Commissions of Control proposed by the last paragraph of the summary attached to the proceedings of the eighth meeting of the Conference of Constantinople, and which were to be charged

> "to watch over the execution of the regulations, and to aid the local authorities in measures affecting order and public security"

in the several provinces dealt with? I may remind the right hon. Gentleman that the refusal of these guarantees by Turkey was almost the sole cause of the war which subsequently ensued. I may add that since the Question was put down, I have observed in the Papers circulated to-day that in the earlier part of the proceedings in the Congress, Lord Salisbury very strongly dwelt upon the necessity of these guarantees.

THE CHANCELLOR OF THE EXCHEQUER: All that I can say at present, in answer to the Question of the hon. Gentleman, is that under the 18th Article of the Treaty of Berlin, it is provided that a European Commission shall be appointed, and all the provisions which may be made for securing the organization of Eastern Roumelia will entirely depend upon the decisions of that Commission.

SIR GEORGE CAMPBELL: I beg to give Notice that when this question comes before the House I shall move—

> "That, in the opinion of this House, no European territory should be restored to Turkey without at least the guarantees deemed necessary by the Conference of Constantinople."

THE MUTINY ACT—THE EUROPEAN AND NATIVE INDIAN ARMY.

QUESTION.

MR. MUNTZ asked Mr. Attorney General, If he would be so kind as to inform the House under what law British soldiers may be tried and punished in time of peace by Court Martial in Cyprus or other Crown Colonies if, as has been asserted, the Mutiny Act does not extend beyond the British Isles?

THE ATTORNEY GENERAL (Sir JOHN HOLKER): The Annual Mutiny Act, and the Articles of War made thereunder, apply as well in time of peace as in time of war to all soldiers in Her Majesty's service, both at home and abroad, except the Indian Native troops, who are subject to Articles of War framed under the Indian Mutiny Act. It is a mistake to suppose that I ever asserted that the Mutiny Act does not extend beyond the British Isles. What I said in a recent debate was that the provisions of the Bill of Rights with regard to standing Armies were confined to Great Britain. I beg to add that Cyprus is not a Crown Colony.

THE EASTERN QUESTION—THE SAN STEFANO TREATY.—QUESTION.

MR. OTWAY asked Mr. Chancellor of the Exchequer, Whether the stipulations of the San Stefano Treaty, not abrogated or modified by the Treaty of Berlin, have the force of Treaty stipulations between the Governments of Russia and Turkey?

THE CHANCELLOR OF THE EXCHEQUER: I can only say, with regard to the Question of the hon. Member, as I said just now, that this is a question of International Law arising between two foreign countries, and upon such question Her Majesty's Government have not, at present, expressed any opinion.

TELEGRAPHS BILL.—QUESTION.

MR. WHITWELL asked the Secretary to the Treasury, Whether the Government intend to proceed this Session with the Telegraphs Bill; and, if so, if they will refer it to a Select Committee?

LORD JOHN MANNERS, in reply, said, he did not at present see any reason for referring the Bill to a Select Committee.

TURKEY—REPORTED FIRING ON A BOAT'S CREW BY THE RUSSIANS.

QUESTION.

LORD ROBERT MONTAGU asked the First Lord of the Admiralty, Whether, in case of satisfaction not being speedily made by the Russians for the insult to the British flag, he will order Admiral Hornby to make reprisals, and to hold them until reparation has been made?

MR. W. H. SMITH: I must remind the noble Lord and the House that I stated to the House on Friday last that Admiral Hornby had sent his flag captain to see General Todleben on the subject, and that General Todleben expressed his very great regret at the occurrence, of which he was entirely ignorant. General Todleben also stated that he would send at once an officer of the staff to the Gulf of Saros, to make inquiry, and to put him in a position to offer such explanation as might be possible. We have not received any further information. The noble Lord is aware that the distance would make it almost impossible for the officer to have gone and returned by this time. But I may state that the Secretary of State for Foreign Affairs directed the Ambassador to make a representation of the circumstances of the case to Prince Lobanoff, the Russian Ambassador, and to request an explanation; and I have no doubt we shall receive a satisfactory explanation.

LORD ROBERT MONTAGU: An explanation, then, has been demanded? Of course, the British flag will be saluted?

MR. W. H. SMITH: An explanation has certainly been demanded. What the result will be I am not able to say.

THE EASTERN QUESTION—RUSSIAN TROOPS IN TURKEY.—QUESTION.

LORD ROBERT MONTAGU asked Mr. Chancellor of the Exchequer, Whether Russian troops now occupy parts of Turkish territory other than those where they have a right to be in accordance with the provisions of the Treaty of San Stefano, or the Treaty of Berlin; and, if so, for what reason they remain there; and, whether any representations have been made to induce them to withdraw from the territories of an allied sovereign in time of peace, where their presence presents frequent occasions of dispute or war?

THE CHANCELLOR OF THE EXCHEQUER: All I can say at present on this subject is, that Her Majesty's Government are not prepared to say how far the occupation of the territory referred to in the Question of the noble Lord is inconsistent with Articles 25 and 26 of the Treaty of San Stefano.

LORD ROBERT MONTAGU: The right hon. Gentleman has not answered the last part of my Question—whether any representations have been made to induce the Russian troops to withdraw from the territories of an allied Sovereign in a time of peace?

THE CHANCELLOR OF THE EXCHEQUER: I stated that we were not prepared to say that the Russian troops, being where they were, was a violation of certain Articles of the Treaty of San Stefano; and it may be inferred from that answer that Her Majesty's Government have not made any representations founded upon any construction of that Treaty, or the Treaty of Berlin. Undoubtedly, it will be seen from the examination of one of the Protocols, that one of the earliest representations made to the Congress of Berlin was with the view to the withdrawal of the Russian forces from the positions which they have occupied in Turkey.

THE FOREIGN OFFICE—THE ABSTRACTION OF A STATE PAPER—THE ANGLO-TURKISH MEMORANDUM.—QUESTION.

MR. CHILDERS asked the Under Secretary of State for Foreign Affairs, with reference to his statement that the employment of Charles Marvin (a writer engaged at wages by the hour), in connection with the Memorandum of Count Schouvaloff and Lord Salisbury, was inconsistent with the rules of the Foreign Office, but that while the matter was the subject of judicial investigation it would be contrary to precedent and injurious to the public interests that any explanation of the circumstances should at that moment be made to Parliament, Whether now that the judicial investigation has terminated, he will state under what circumstances Charles Marvin was so employed?

Mr. BOURKE: I have to state, in reply to the right hon. Gentleman, that Charles Marvin was employed, with respect to the Memorandum in question, for the sake of despatch; and he was so employed under the belief that, as he had been for more than a year in the Foreign Office, he was trustworthy. I am sorry to say that that belief afterwards turned out to be erroneous.

Lord ROBERT MONTAGU: You must not say that, for he was acquitted.

ARMY—POISONING OF SOLDIERS AT MALTA.—QUESTION.

Mr. MUNTZ asked the Secretary of State for War, If the report circulated by the public prints that forty-eight of Her Majesty's soldiers at Malta had been poisoned by carbolic acid, given by carelessness instead of lime juice, should prove correct, he would institute a very searching inquiry, with a view to the punishment of the culpable parties?

Colonel STANLEY: I am sorry to say there is some foundation for this report. I have caused inquiries to be addressed to the authorities at Malta. We have not yet received an answer. If the matter should turn out to be as serious as the hon. Gentleman represents, and as the report assumes, of course a very searching inquiry will become necessary.

THE CIVIL SERVICE—ADMIRALTY AND WAR OFFICE (RETIREMENT OF OFFICERS) BILL.—QUESTION.

Mr. O'CLERY asked the Secretary of State for War, Whether the terms of the Admiralty and War Office Regulation Bill of 1878 will be extended to those departments of the Civil Service where the lower division of clerkships has been introduced under the Playfair scheme?

Sir HENRY SELWIN-IBBETSON: It is not the intention to extend the terms beyond the four corners of the Bill, which embraces only the two offices mentioned.

SOUTH AFRICAN CONFEDERATION—THE TRANSVAAL TERRITORY.

QUESTION.

Mr. COURTNEY asked the Secretary of State for the Colonies, Whether he can now lay upon the Table Mr. Sargeaunt's Report on the Financial Condition of the Transvaal Territory; and, whether it is his intention to apply this Session for a Supplementary Vote in aid of the expenses of its government?

Sir MICHAEL HICKS-BEACH, in reply, said, it was not his intention to apply this Session for a Supplementary Vote. With regard to Mr. Sargeaunt's Report, that gentleman had been actively engaged since his recent return from South Africa in preparing such Report, which had not yet been received at the Colonial Office. Until he saw that Report, he could not promise to lay it upon the Table of the House.

SUPPLY — THE SUPPLEMENTARY ESTIMATES.—QUESTION.

Mr. CHILDERS said, he was sorry to have to ask, for the third time, the Chancellor of the Exchequer, On what day he will state to the House the provision required for the additional expenditure proposed since the Budget?

The CHANCELLOR of the EXCHEQUER: I am quite as sorry to have to answer the Question as my right hon. Friend is to put it; but I am still obliged to say that my right hon. Friends the Secretary of State for War and the First Lord of the Admiralty have not yet completed their Estimates. I hope they will be on the Table before the close of the week, and when they are no time shall be lost in making the proper statement.

Mr. CHILDERS: I will put the Question again on Friday next.

PARLIAMENT—COUNTY OF CLARE—SIR BRYAN O'LOGHLEN.

QUESTION.

Mr. SULLIVAN: I beg to ask the Secretary of State for the Colonies, If it is true that Sir Bryan O'Loghlen has accepted the appointment of Attorney General of Victoria; and, whether he can inform the House of the date of such appointment, and what salary, if any, attaches to the office in question?

Sir MICHAEL HICKS-BEACH: I cannot state the precise date of this appointment; but a short time ago I heard from the Governor of Victoria that Sir Bryan O'Loghlen had accepted the office. The salary has been altered recently, but I understand it is now between £1,600 and £1,700.

Mr. SULLIVAN: I beg to give Notice that to-morrow I shall move—

> "That Mr. Speaker do issue his Warrant to the Clerk of the Crown in Ireland for the holding of a new election for the County of Clare, in the room of Sir Bryan O'Loghlen, who, since his election, has accepted the office of Attorney General of Victoria."

ARMY—HALF-PAY—THE ROYAL WARRANT.—QUESTION.

Major O'BEIRNE asked the Secretary of State for War, If he can recommend some alteration in the Warrant by which the half-pay service of those Officers promoted to that list, (1) as a reward, (2) placed thereon owing to reduction, counts disadvantageously, and is reckoned towards compulsory retirement?

Colonel STANLEY was bound to say that, on looking at the clauses of the Royal Warrant, he should, if he answered the Question at once, be driven to a conclusion adverse to the officers in question; but, inasmuch as the words of the Warrant were not wholly free from doubt, he had desired other Papers to be looked at, by which it would be seen what were the intentions of the Warrant when it was originally framed. If the hon. and gallant Gentleman did not receive any communication from him, perhaps he would be good enough to repeat his Question on a future day.

POOR LAW AMENDMENT ACT (1876) AMENDMENT BILL.—QUESTION.

Mr. MELLOR asked Mr. Chancellor of the Exchequer, If he will state what course he proposes to take with respect to the Bill to amend the Poor Law Amendment Act, 1876, seeing that the Lords have decided to insist on their Amendments?

Sir H. DRUMMOND WOLFF said, that as he had declined, in deference to the suggestion of the Speaker, to press a Motion with respect to the Privileges of the House, as affected by this Bill, he would ask Her Majesty's Government, Whether, in considering the Amendments introduced by the Lords, they would consider them in connection with the Privileges of this House?

The CHANCELLOR of the EXCHEQUER: I am aware generally of the point to which the hon. Baronet the Member for Christchurch refers in connection with this Bill. I am not unacquainted with the position of the measure in connection with the question of the Privileges of the House of Commons; but, as I understand, you, Sir, have thought it not desirable that that question should at present be raised. [Sir H. Drummond Wolff: Not to-day, as I understand.] Well, not to-day; and that being so, I do not know that I can venture further at present with my answer to the hon. Baronet. With regard to the Question of my hon. Friend behind me (Mr. Mellor), he is aware that the Government have supported, and that I have more than once expressed my personal support of his Bill, and that I have regretted to see the Amendments which have been introduced into it by the other House of Parliament. It does not lie with me to propose to take any particular course with respect to the measure, because it is one which is in charge of my hon. Friend; but I should be prepared—and the Government should be prepared—if he thinks fit to insist upon what has been agreed to by this House, to support him.

THE ANGLO-TURKISH CONVENTION—THE DESPATCH OF MAY 30.

QUESTION.

Mr. GOSCHEN asked the Under Secretary of State for Foreign Affairs, Whether he would be able before the debate on the Resolution of his noble Friend (the Marquess of Hartington) came on for discussion to place in the hands of Members any further Papers connected with the Anglo-Turkish Convention, and notably the reply of our Ambassador at Constantinople to the despatch of the 30th of May? There were no Papers before Members with respect to that Convention, except that despatch; and he should like to know what reply had been made to it by the Turkish Government?

Mr. BOURKE: I shall be happy to answer the Question to-morrow. I am sure that the House will see that it is one which I cannot answer without consultation with the Secretary of State for Foreign Affairs.

PARLIAMENT — ORDER OF PUBLIC BUSINESS—TREATY OF BERLIN.

QUESTION.

The Marquess of HARTINGTON: I wish to ask the right hon. Gentleman the Chancellor of the Exchequer, Whether he can state when he will be able to arrange to give me an opportunity of bringing forward the Resolution of which I have given Notice with reference to the Treaty of Berlin? I have put down the Resolution for Thursday as the earliest day it would be favourable to bring it forward; and I should like to know whether it will be in the power of the Government that the discussion should be taken on that day?

Mr. BUTT: Before the right hon. Gentleman answers the Question, I may be allowed to express the hope—and I think I may say the unanimous hope—of the Irish Members belonging to all Parties in this House, that nothing will be allowed to interfere, if possible, with the coming on, as already arranged, of the Intermediate Education (Ireland) Bill on Thursday next?

The CHANCELLOR of the EXCHEQUER: There is no doubt that at this period of the Session it is extremely difficult to make arrangements that will not occasion inconvenience to hon. Members on some subjects. Undoubtedly the promise which has long been made to Irish Members and others interested in the subject—that we shall proceed with the Intermediate Education (Ireland) Bill on Thursday—is one that ought not lightly to be overlooked. In these circumstances, I am afraid it will be impossible to offer the noble Lord an earlier day than Monday next. I have given the matter considerable study, and I think that that course will be the most advisable, both with regard to existing engagements, and with regard to the importance of the subject which the noble Lord will bring forward—a subject on which it is desirable that hon. Members should have time to consider the Protocols. With reference to the arrangements of our Business, I think it would be the best economy of time that the Resolutions of the noble Lord should be taken on Monday.

The Marquess of HARTINGTON: Will the right hon. Gentleman tell us what is to be the course of Public Business this week?

The CHANCELLOR of the EXCHEQUER: We propose to-night to go on with the Contagious Diseases (Animals) Bill, and I hope it is not impossible that it may be finished before we adjourn. To-morrow is given to the right hon. Gentleman the Member for Greenwich (Mr. Gladstone) for his Motion on the Vernacular Press Law of India. On Wednesday we may have some remainders of the Contagious Diseases (Animals) Bill to get through; if not, other Government Business will be taken. On Thursday we propose to take the Committee on the Intermediate Education (Ireland) Bill. In speaking of the course of Public Business, I ought also to refer to that which is an unfortunate necessity of our position. We stand very badly with respect to Supply, and that more particularly with regard to a very important Vote — the Education Vote. I hope that we may soon be able to get that Vote; but, in consequence of the pressure of Business, I think that it is not improbable that before the end of the week we may be obliged to ask for a Vote on Account in order to enable us to carry on the Business of the Education Department.

ORDERS OF THE DAY.

CONTAGIOUS DISEASES (ANIMALS) BILL — [*Lords*] — [Bill 204.]

(*Sir Henry Selwin-Ibbetson.*)

COMMITTEE. [*Progress 19th July.*]

Bill *considered* in Committee.

(In the Committee.)

Disease and Movement, generally.

Clause 30 (Power for Privy Council to make Orders for prevention or checking of disease, and other purposes).

Mr. RYLANDS said, he wished to call the attention of the Committee to

Sub-section xix. of the clause, because it had rather an important bearing in connection with the discussions which they had had in Committee on the Bill. The words of the sub-section were—

> "For prohibiting or regulating the holding of markets, fairs, exhibitions, and sales of animals."

The first sentence of the clause said—

> "The Privy Council may, from time to time, make such General or Special Orders as they think fit, subject and according to the provisions of this Act,"

for, amongst other things, what he had just now mentioned. Owing to the intervention of the Irish Members, they had had a great deal of conversation on the subject of the powers to be granted by the Bill with regard to the holding of fairs and markets, and it appeared to him not to have been a very important conversation; because, in point of fact, under the clause they were then considering, apart from Clauses 22 and 25, the Privy Council had absolute power, in the words of the sub-section, to prohibit or regulate the holding of fairs, markets, exhibitions, or sales of cattle. The effect of that was that the Privy Council might, if they thought fit to exercise it, put a stop to the holding of fairs and markets in any position or part of the country, without declaring an infected district. They had a deal to say the other day about the Privy Council declaring the district in which the Bill should operate with regard to its restrictions; but, practically, under that sub-section the Privy Council would have ample power to prohibit any market they thought fit. That seemed to him to be a matter of serious consequence, inasmuch as there were no governing words in it to restrict the power of the Council, and they had not heard from the hon. Gentleman the Secretary to the Treasury, up to the present time, what was to be the policy of the Privy Council in respect to that very important matter. Of course, if the Privy Council chose to deal carelessly with markets, perhaps they would decide not to interfere with them, except in case of prevalence of disease in any given district. Then, he said, they would not carry out the recommendations of their own Departmental officers. Now, he thought that it was really important that they should bear in mind that the Veterinary officer of the Privy Council entertained a very decided opinion as to the course which ought to be taken to put a stop to foot-and-mouth disease, and he really must ask the hon. Gentleman the Secretary to the Treasury, to satisfy them as to whether the Privy Council, carrying out the important powers they were now asking the Committee to give them—whether they did intend to exercise that power on the advice of the Veterinary officer, or whether they meant to give him the go-bye, and treat his advice as if it was worthy of no attention at all? He thought they would see very soon why it was important that they should get from the hon. Gentleman the Secretary to the Treasury an absolute statement as to the policy which would be carried out by the Privy Council. It was quite evident from the Report of the Committee which was presented to the Privy Council last year, that Professor Brown was very decidedly of opinion that if they wanted to put a stop to foot-and-mouth disease in that country, they must deal with markets and fairs in a very stringent manner. Professor Brown said the one absolute essential thing was to stop the movement of animals from premises where foot-and-mouth disease existed, and for that purpose it was necessary to effect changes in the present system, and that fairs and markets must be placed under competent supervision. Now, that was the recommendation of the Veterinary Inspector of the Privy Council. Of course, it would be necessary for the market authorities, in exercising control, to have the power to prohibit the holding of markets. The point he wished to get at was this—Would the Privy Council take that course or not? Were they prepared to act upon the advice of their own officer, and, in the event of disease appearing in a market, were they prepared to take steps to prohibit markets, and to insist upon the slaughter of all the animals that might be present? If they were prepared to do so, he knew that hon. Gentlemen from Ireland would raise such an outcry that the Government would not care to meet it. Evidently, they were not prepared to do it, and he wanted the Committee to understand that, practically, the Bill, so far as foot-and-mouth disease was concerned, was a sham. Some people seemed to think that isolation of the infected animals would suffice; but foot-and-mouth disease was so insidious in its character, that if a flock were sent into a fair or market, and two or three of the number were found to be diseased, nobody could tell how far the infection might spread. He thought that, under the uncertainty which existed, he was quite justified in asking that the Government should make it clear what policy they intended to pursue. Was it intended, in the event of an outbreak of disease in a market, to carry out the recommendation of the Veterinary officers of the Privy Council, and insist upon the slaughter of the animals? If it were not intended to adopt such a course, the Privy Council would, he repeated, fail to carry out measures which, in the opinion of their own officers, were most essential as a means of stamping out disease. During the sitting of the House of Lords' Committee, Professor Simonds was asked if he agreed with the opinion of Professor Brown, and he replied that he did. The Professor said—

> "I agree generally with it. There might be a difficulty with regard to slaughtering all the fat animals—perhaps that might be thought a strong measure; but when the object is to stamp out disease, I hardly see how you can stop short of that."

He wished to know whether the Privy Council were prepared to throw over those opinions—the opinions of the two most distinguished veterinary authorities in the country—or not? He was not recommending them to adopt those opinions; but he again said that the Committee were clearly entitled to know what the intention of the Government was in the matter. He could tell the Secretary to the Treasury that if the Government were not prepared to adopt those opinions with the view of stamping out foot-and-mouth disease, he should claim different treatment with reference to foreign imports than the Government had yet shown a disposition to concede. The Government were evidently on the horns of a dilemma.

Mr. CHAPLIN rose to Order. Was the hon. Gentleman not out of Order in making a long speech when, so far as he (Mr. Chaplin) understood, there was no Motion or Amendment before the Committee?

The CHAIRMAN: I understand the hon. Member for Burnley (Mr. Rylands) intends to close his speech by moving an Amendment to the clause. If he does not propose to move an Amendment, he is clearly departing from the Rules of the Committee.

Mr. RYLANDS said, he ought, perhaps, to have said at the commencement that he was prepared to move the omission of the 19th sub-section he had read. He was sorry to trespass upon the attention of the hon. Gentleman the Member for Mid-Lincolnshire, upon whom he feared he was inflicting his remarks—as, indeed, upon the House—in vain. The hon. Gentleman would find, by referring to the clause, that it provided that the Privy Council might make such special or general Orders for prohibiting or regulating the holding of fairs and markets, exhibitions and sales of animals, as they deemed expedient. His (Mr. Rylands') object was clear. It was to ascertain what was likely to be the policy of the Privy Council. If the hon. Gentleman the Secretary to the Treasury would say that the Government did not intend to prohibit the holding of markets, nor the slaughter of all the fat cattle that might be present, in the event of an outbreak of foot-and-mouth disease, he should quite understand what the Bill was, and so would the Committee. The Government proposed to give great powers to the Privy Council, and they refused to give the Committee an idea as to how these powers would be exercised. Unless some explanation was vouchsafed, he, for one, should decline to give the Privy Council the powers they asked. He begged to move, with the view of raising the question, the omission of the words—

> "For prohibiting or regulating the holding of markets, fairs, exhibitions, and sales of animals."

Sir HENRY SELWIN-IBBETSON hoped that if the Committee intended to make any progress with the Bill they would not too often revert to former discussions. The whole of this question was raised the last time they were in Committee, and was thoroughly debated. He stated then, as fully as he possibly could, the answer which the hon. Member now sought. He stated, in reply to an hon. Gentleman from Ireland, what the Government proposed to do with regard to the restraining powers of local authorities in case of a sudden outbreak of disease in any fair or market. On that occasion, he referred the Committee to the general powers which existed under the Act of 1869, by which the Privy Council, and the local authorities with power delegated from the Privy Council, could stop fairs and markets in districts where disease prevailed. He also alluded to the 75th section of the Act, under which the Privy Council might from time to time make such orders as were deemed expedient for certain purposes, including prohibiting or regulating the holding of markets, fairs, exhibitions, or sales of animals. Under that the local authorities had powers for prohibiting or regulating markets, fair, &c., within their district; when authorized so to do by the Privy Council. Those powers were re-enacted in the 19th sub-section of the present clause, the powers being those which the Privy Council possessed when disease was rife in a particular district; while the regulations to be issued under Clause 26, guiding the action of local authorities and their Inspectors, would take effect in case disease broke out suddenly in any market or fair. That was the explanation which he ventured to give on the last occasion, and he believed it fully showed what was the law applicable, at the present moment, to markets and fairs when infection was rife in a particular district.

MR. W. E. FORSTER observed, that whatever the powers of the Privy Council might be, their practice had not been to stop fairs or markets on account of foot-and-mouth disease. At one time their powers were so great that they could do almost anything; but they had never attempted to put those powers in force. He was not surprised at the question which had been raised by his hon. Friend the Member for Burnley (Mr. Rylands), but he hoped it would not be pressed to a division. The Government had now shown quite clearly what it was their intention to do. They had accepted the principle that the Schedule for foot-and-mouth disease and for pleuro-pneumonia should be the same, and the result would be this—that no market, fair, exhibition, or sale of cattle could be held in any place or district where foot-and-mouth prevailed, except by licence of the Privy Council.

MR. NEWDEGATE believed the local authorities had stopped markets in his own immediate neighbourhood.

MAJOR NOLAN hoped the Government would not lay down hard-and-fast rules for foot-and-mouth disease, as there were a great variety of circumstances under which it might arise. It might be advisable to slaughter animals in isolated cases, so as to effectually prevent the disease from spreading; but if the cattle over a wide district were affected, slaughtering would be absurd. He hoped, further, that no invidious distinction would be made between fat and store cattle. If fat cattle carried disease, he was sure store cattle would; and he did not see, therefore, why they should be treated differently. As long as fat cattle and store cattle were subject to the same regulations, the position of Ireland and England would be identical; but if fat cattle were placed under a disadvantage, it was clear that the Irish farmers would suffer unfairly. ["Divide, divide!"] He begged to inform hon. Members that he would speak on this subject as long as he chose. Coming, as he did, from the second largest county in Ireland, he was entitled to be heard, more especially as this was the first time the important question of fat and store cattle, which affected Ireland so closely, had been raised.

MR. ANDERSON believed the whole difficulty arose from the concession made to the Irish Members the other night. The English and Scotch Members had expressed no jealousy of the interference of the local authorities; but the Irish Members entered a protest against it, in consequence of which the Government took fairs and markets out of the control of the local authorities. The Privy Council was now made the responsible body; but still the Irish Members were not satisfied. His object in rising, however, was not to point out the difficulty of satisfying Ireland, but to ask what guarantee they had that the Privy Council in Ireland would follow the same rules as the Privy Council in this country? There was no power taken in this Bill to compel the Irish Privy Council to follow the lead of the Privy Council here; and he, for one, after the strong protest made by Irish

Members against fairs and markets being interfered with, had not the slightest confidence that the authorities in Ireland would venture to take as strong measures in regard to fairs and markets as would be taken by the authorities here.

Amendment, by leave, *withdrawn.*

Sir HENRY SELWIN-IBBETSON moved, in page 15, line 17, after "Council," to insert—

> "For the purpose of ensuring uniformity, and the due execution of the provisions of this Act, think fit to."

Mr. BRISTOWE thought the clause was better as it stood. There might be reasons for the Amendment; but it seemed to him to unduly limit the powers of the Privy Council.

Sir HENRY SELWIN-IBBETSON was prepared to stand by the clause as it was; but the object of introducing those words into it was merely to call the attention of the Privy Council specially to the fact that uniformity was the principle upon which the Government wished the Act to be worked.

Mr. J. W. BARCLAY wished to know how far the principle of uniformity was to be extended as between the different borough and county authorities? The complaint hitherto had been that one local authority had one set of regulations, and another another.

Sir HENRY SELWIN-IBBETSON said, the Privy Council, in laying down regulations for the guidance of the local authorities, would keep in view that uniformity of action which was so strongly recommended by the Committee of last year.

Amendment *agreed to.*

Sir CHARLES W. DILKE called attention to Sub-sections 32, 33, 34, and 35 of the clause, all of which he thought extraordinarily vague. Sub-section 32, moreover, appeared to be unnecessary, because it was really contained in Sub-section 4. The definition of diseases in this clause and these sub-sections was so extended as to become no definition at all, and the definition of animals was equally comprehensive. It would be quite as well, indeed, to pass the Bill without any definition at all of either animals or diseases. When they came to the Schedule dealing in general terms

with animals and diseases, they would really be dealing not with the diseases and animals mentioned in the Bill, but with all diseases and all animals whatsoever. The words of Sub-section 33 gave power to extend—

> "For all or any of the purposes of this Act, the definition of animals in this Act, so that the same shall for those purposes comprise any animals, in addition to those mentioned in this Act."

Then, Sub-section 34 extended—

> "For all or any of the purposes of this Act, the definition of disease in this Act, so that the same shall for those purposes comprise any disease of animals, as defined either by this Act or by Order of Council, in addition to the diseases mentioned in this Act."

Sub-section 35 was, if possible, even wider. It provided—

> "Generally, for the better execution of this Act, or for the purpose of in any manner preventing the introduction or spreading of disease (whether any such Order is of the same kind as any kind specified or enumerated in this Act or not)."

It seemed as if they were to make provisions for diseases of all kinds, even those affecting human beings, there being no limiting words whatever. In order to raise the question in a convenient form, he would at present only move the omission of Sub-section 32. It was certain that Sub-section 32 and Sub-section 34 could not both be necessary. He was aware that the case against Sub-section 32 was less strong than against 33, because the former only stated the existing law; whereas Sub-section 33 established an entirely new order of things. But the existing law, as stated by Sub-section 32, was so vague that it had better not be incorporated into the Bill; and, therefore, he begged to move that that sub-section be omitted.

Sir HENRY SELWIN-IBBETSON hoped the Amendment would not be accepted by the Committee. Sub-section 32 continued to the Privy Council the power they at present possessed of dealing with other diseases and other animals than those specified in the Bill. The hon. Baronet described that and the following sub-sections as proposing to deal with every imaginable disease and every imaginable animal. If, however, the hon. Member would refer to the Act of 1869, he would find that very similar powers were there given to the Privy Council. Clause 75 of that Act, after reciting the different Orders which the Privy Council might from time to time make, went on to say—

> "And generally, any Orders whatever which they may think it expedient to make for the better execution of this Act, or for the purpose of in any manner preventing the introduction or spread of contagious or infectious disease in animals in Great Britain."

That Provision gave the Privy Council power to deal with any known or unknown disease that might arise; and the object of the present clause was to leave that power to the Privy Council. He trusted the Committee would not deem it wise to hamper the discretion of the Privy Council in this matter. The clause did not prejudice anyone; and should any new disease arise, it would enable the Privy Council to deal with it, without coming to Parliament for additional powers.

MR. LYON PLAYFAIR said, he had read the sub-section quite differently from his hon. Friend (Sir Charles W. Dilke). The Committee had already passed, with little objection, a clause which gave the Privy Council most extraordinary powers. That clause—the 28th—gave the Privy Council the power, which was really enormous, of slaughtering any animal for any disease. As he read the present clause, it was a sort of instruction to the Privy Council as to how they should interpret Clause 28, and served to limit and define the extraordinary powers which that clause conferred upon them.

MR. PAGET preferred the provisions of the old Act, which not only included the ordinary contagious diseases of animals, but also glanders and farcy, and gave power to the Privy Council to add to the number of diseases dealt with. It also defined animals so clearly that none could be included which were not alluded to in the Act; whereas the present clause gave power to the Privy Council to include, under the word "animals," anything they pleased. He could not help thinking that it would be better if the Definition Clause of this Bill followed the old Act, or, at all events, if it included glanders and farcy, and contained words enabling the Privy Council to extend the definition of disease.

MR. W. E. FORSTER agreed with the hon. Member who had just spoken, that the form of the old Act would have been better than the present clause. It was a mere question of drafting, however, and did not much matter. With regard to the 28th clause, he begged to remind his right hon. Friend (Mr. Lyon Playfair) that it did not authorize the slaughter of all animals, in the usual sense of the word, but of what the Bill defined as "animals." He did not well see how the Committee could withhold from the Privy Council the powers proposed to be conferred on them by Sub-section 32, which only stated the law at present existing; and, therefore, he hoped his hon. Friend would not press his Amendment.

COLONEL BARNE urged that the Privy Council should have power, if necessary, to stop the running of hounds, or the passage of drovers' dogs through infected districts, as there was no doubt that these animals could carry disease.

MR. ANDERSON was of opinion that the 32nd sub-section was unnecessary, as both Sub-sections 34 and 35 were infinitely more comprehensive.

MR. WHITWELL reminded the Committee that they were only giving the Privy Council power to apply the Act when, in their discretion, it became necessary to do so, without making the exercise of that power imperative.

SIR CHARLES W. DILKE said, he would not, of course, divide in view of the opinion of the Committee; but should propose to divide against Sub-section 34 when it was reached. He maintained that Sub-section 32 was unnecessary, if Sub-section 34 was to be passed.

Amendment, by leave, *withdrawn.*

SIR CHARLES W. DILKE said, that Sub-section 33 extended the definition of the term animals, so that it would apply to any kind of animals, and thereby rendered Clause 5 of the Bill altogether unnecessary. He moved the omission of the sub-section.

SIR HENRY SELWIN-IBBETSON reminded the hon. Baronet that the 5th clause of the Bill was inserted for the purpose of limiting the action of the local authorities; while the sub-section under consideration intrusted the Privy Council with powers to take action in case of the introduction to this country of any fresh description of disease, or of any fresh manifestation of disease. He also reminded the Committee that animals were contemplated by the Bill which did not come under the definition contained in Clause 5. It was possible that, under the Quarantine Clause, such animals might introduce to this country a new disease; and the Privy Council were, by the sub-section, intrusted with power to extend the Act to animals other than those contemplated by Clause 5.

Mr. RYLANDS said, they were apparently legislating in panic. The hon. Baronet (Sir Henry Selwin-Ibbetson) seemed to be of opinion that some extraordinary and unexpected danger might arise, of which they had no experience, and the nature of which they could not anticipate. To pass a clause of the kind under consideration, embracing all descriptions of animals, at the discretion of the Privy Council and with the view of protecting themselves against dangers which never had existed, seemed to him legislation of a character that ought not to be supported; and he should certainly vote for the rejection of that most objectionable clause. The Privy Council ought not to be intrusted with unknown powers for unknown purposes. He thought the powers given to them were, moreover, without any limitation whatever, and trusted that the hon. Baronet (Sir Charles W. Dilke) would divide against the sub-section.

Mr. GORST characterized the powers conferred upon the Privy Council by the sub-section as the most extraordinary he had ever known. They amounted to enabling the Privy Council to pass an Act of Parliament without going through the formality of consulting the House. The powers conferred were absolutely unlimited. Of course, it would be said that they would not be used; but it was most objectionable in principle to grant powers for the reason that they were not to be made use of.

Mr. W. E. FORSTER could not help thinking that the hon. Baronet would not press the clause, which was really not wanted. He (Mr. W. E. Forster) thought he could hardly consent to it. They were passing an Act for the stamping out of contagious diseases amongst cattle; and it seemed to him hardly correct to introduce lines including a perfectly different set of animals. It would be seen by the dictionary that the term animal had a very wide interpretation. Cats and dogs, no doubt, came under that interpretation; but if they were to have a cat and dog Bill, it was desirable that the Committee should know it. The necessity for the clause would exist only in the case of some new disease being communicated to cattle, sheep, and swine, by other animals; but if the Department really thought it necessary to have a protection against a theoretical danger of that kind, it would be easy to say they should have power to regulate the importation of animals likely to give disease against which the Bill was directed. He thought the clause would have to be withdrawn.

Sir HENRY SELWIN-IBBETSON would have been willing to fall in with the suggestion of the hon. Member for Chelsea (Sir Charles W. Dilke) had he understood his proposal. He believed the objection of the hon. Member was to the wide definition contained in the sub-section; but he would remember that the existing Act gave power to extend the definition in cases of expediency. He was ready to consider whether the words in question were necessary, and to withdraw the sub-section.

Mr. J. W. BARCLAY hoped the Government would obtain for the Privy Council complete powers with reference to the matter then under discussion. He asked the Committee to remember that the cattle plague, which was previously unknown in this country, was introduced in 1865, and that an enormous amount of damage was done by it before it could be dealt with. He was desirous that the Government should have power to deal summarily with any new disease that might at any future time be introduced, as well as with the animals themselves; because, if an Act of Parliament were found to be necessary, irreparable damage might be done before the disease could be dealt with. He hoped that the Secretary to the Treasury would retain in the Bill powers that would enable the Privy Council to act efficiently under such circumstances.

Mr. EVANS thought it quite possible, as the hon. and gallant Member for East Suffolk (Colonel Barne) had suggested, that infectious diseases might be conveyed from one part to another by the movement of hounds or other animals. He therefore hoped that power would be retained in the Bill for dealing with any unexpected disease that might present itself. He believed it to be beyond the power of man to prevent the wandering of cats; but considered that a plan could be carried out which would, when necessary, restrict the movement of dogs. He merely wished to enforce the view of the hon. Member for Forfarshire (Mr. J. W. Barclay), that the Government should retain the power of dealing efficiently, quickly, and summarily with any new disease.

MR. WHITWELL said, the present interpretation of the clause no doubt included the whole tribe of *feræ*. It was well known that, in the North of England, there were cattle and other animals running wild, and that red deer were on the hills in many parts of the country. It seemed to him necessary to possess the power of dealing with new diseases, and to include animals of the kind referred to.

MR. NEWDEGATE believed there was a deficiency in the law with respect to the power of dealing with mad dogs that should receive attention from the Government.

DR. LUSH thought that any re-modelling of the clause should be in the direction of limiting its operation.

MR. ANDERSON hoped the hon. Baronet (Sir Henry Selwin-Ibbetson) would be prepared to tell the Committee what were included in the term ruminating animals. He understood that the 2nd sub-section enabled the Privy Council to include the human subject as well as human disease; and it would certainly be convenient to make some provision with reference to these. He was not in favour of leaving out the sub-section as proposed by the hon. Baronet the Member for Chelsea. (Sir Charles W. Dilke).

Amendment *agreed to.*

Sub-section *omitted.*

SIR CHARLES W. DILKE said, he now proposed to leave out Sub-section 34, which stood on the same footing as Sub-section 33, inasmuch as it widened the definition relating to disease, while the former widened the definition relating to animals. It was not desirable to retain a clause of so vague a character to be applied by the Privy Council.

SIR HENRY SELWIN-IBBETSON thought the words proposed to be introduced in the next Sub-section (35) by the hon. Member for Glasgow (Mr. Anderson) would, practically, cover all that it was desired to obtain. He thought that the Privy Council should have power to deal with any fresh disease that might arise outside the ordinary diseases at present known. He believed that such a power would be obtained by adding to Sub-section 35, after the word "order" in line 32, the words or "such disease."

MR. W. E. FORSTER did not see how the Government could get on without Sub-section 34, to which he saw no objection, whilst Sub-section 35 appeared to him rather too strong, and, therefore, open to considerable objections.

MR. PAGET thought it would be better to let the sub-section remain, because the definition contained therein was not the same as under the existing Act.

MR. GORST considered it unadvisable to get rid of Sub-section 34 at the cost of being obliged to adopt Sub-section 35. He had no great objection to the former sub-section, although there might be some objection to extending the definition of the term animals.

MR. RYLANDS was of opinion that Sub-section 34 might be very useful, while he objected altogether to Sub-section 35. He would retain the former, and give up the latter clause.

MR. SYNAN thought if the Committee desired to make progress with the Bill, it was a matter of perfect indifference which of the two sub-sections was retained.

Amendment, by leave, *withdrawn.*

SIR CHARLES W. DILKE moved the omission of Sub-section 35.

SIR HENRY SELWIN-IBBETSON said, he should be very sorry to see the words contained in the sub-section—namely, "generally, for the better execution of this Act," struck out. The Privy Council ought to have power to make regulations with the object expressed by the words, and he therefore asked that the sub-section should be retained.

SIR CHARLES W. DILKE had no objection to the words in question if the hon. Baronet (Sir Henry Selwin-Ibbetson) wished to retain them.

Mr. PAGET thought the sub-section should remain as it then stood. The words of the 75th clause of the existing Act were—"and generally any Order whatsoever for the better execution of this Act," and the wording of the sub-section in question was—

> "Generally, for the better execution of this Act, or for the purpose of in any manner preventing the introduction or spreading of disease (whether any such Order is of the same kind as any kind specified or enumerated in this Act or not.")

So that, in Section 75 of the existing Act, they had precisely the same powers expressed in almost the same words as those of Sub-section 35 of the present Bill. The provisions of the existing Act were in respect of the words, "Any orders whatsoever," wider and more comprehensive than those contained in Sub-section 35 of the Bill then under discussion. He hoped the sub-section would be retained.

Mr. W. E. FORSTER said, there was a great difference in the clause proposed and in the clause of the Act of 1869. That provision of 1869 was proposed in ignorance of what was necessary to be done, and only eight special powers were given to the Privy Council. Up to the present time, however, there had been a good deal of experience, and the brains of the Secretary of the Veterinary Department had been exercised to find out what would be necessary. The result was that they had before them the 25th section. He had looked into the matter carefully, and with what knowledge he had, and it appeared to him that everything which was wanted was included without Sub-section 35, the wide powers of which were not required. Therefore, he thought, the sub-section might be very easily omitted.

Mr. GORST said, in the case of the Act of 1869 the Privy Council were only allowed to make Orders of the kind contemplated by the Act, which was a very different thing to the proposal now before the Committee. The present Bill would give the Privy Council power to pass an Order which had nothing to do with the Act. Such a proposal was, in his opinion, going too far. It was no use to answer his objection by saying that the Privy Council would not use the power. If they did not want to use it, they need not seek to get it.

Amendment, by leave, *withdrawn.*

Sir CHARLES W. DILKE moved, as an Amendment, to leave out all the words in the sub-section, except the first line—"generally for the better execution of this Act."

Amendment *agreed to.*

Clause, as amended, *agreed to.*

Clause 31 (Provision of water and food at railway stations).

Sir CHARLES W. DILKE (for Mr. Gregory) moved, in page 15, line 38, to add—

> "And it shall be the duty of every Railway Company to provide that any animal carried by it shall not be kept more than 12 hours without food or water."

He would not say a word in support of the addition unless it were opposed, as the proposal seemed to him to be so reasonable.

Sir HENRY SELWIN-IBBETSON said, the hon. Baronet would see that a subsequent sub-section to the clause would really apply to everything which ought to be done in the direction he wished, inasmuch as it provided for the supply of water to the persons in charge of the animals. By Sub-section 4 the Privy Council had power to alter the limits of the time during which water should be supplied. Under those circumstances, he thought the greatest precautions had been taken.

Sir CHARLES W. DILKE said, the point of the Amendment was that at present there was no power to punish Railway Companies if cattle had water every 30 hours; whereas it was proposed to punish them if the animals were not watered within that period.

Mr. PEASE said, if his hon. Friend carried his Amendment, it would make Railway Companies provide water for animals every 12 hours. That was almost an absurdity in itself; because, if so provided, they could not make the animals drink, and many would not do so at such frequent periods. Those who were acquainted with agriculture knew that the worst thing which could be done for an animal was to give it water every 12 hours. Such a proceeding would be likely to bring on all kinds of diseases and complaints. At the present moment he did not know how many hundred Orders there were as to the provision of water at stations for cattle; and on the railway of which he was a Director every Order of the Privy Council was carried out as directed. Each animal had a supply of water, and if any would not drink it in the trucks, they were taken out and attended to. That being so, to pass such a provision as that contained in the Amendment would do more harm than good.

MR. WHITWELL said, if the present regulations for watering cattle were kept in force after the passing of the present Bill, he should be satisfied without the adoption of the Amendment.

MR. J. W. BARCLAY thought there was no necessity for watering the cattle every 12 hours. The great object of requiring the provision of water at all was to make the Railway Companies carry the cattle with expedition; and, if they did that, they could carry them any distance within Great Britain in 30 hours.

SIR CHARLES W. DILKE objected to the fixing by the Bill of such hours for the supply of water as must necessarily give torture to the beasts. He had that day been talking on the subject with an eminent agriculturist, who said an animal could not be kept for 30 hours without water, unless sustaining injury.

MR. W. E. FORSTER supported the views of his hon. Friend the Member for Chelsea. He (Mr. W. E. Forster) was, he believed, responsible for the 30 hours' Order; but it was made at a time when the Privy Council were informed that such a period was not too long for an animal to wait without water. Since then, he had been told that 30 hours was too long to keep beasts without water, and that Railway Companies could provide it oftener without inconvenience. Hence he hoped his hon. Friend would press his Amendment to a division.

SIR HENRY SELWIN-IBBETSON said, he had no objection to substitute 24 hours for 30 hours, if it was the wish of the Committee that that should be done.

SIR CHARLES W. DILKE said, that would meet his wishes, and he would withdraw his Amendment.

Amendment, by leave, *withdrawn.*

MR. J. W. BARCLAY regretted that the Secretary to the Treasury should have agreed to such a compromise. The alteration of the clause would make it peremptory on Railway Companies, or the consignors of cattle, to see that they were watered within 24 hours. It might, under some circumstances, be advantageous that cattle should be watered in summer during 24 hours; but he did not think such an advantage would accrue in the winter. Therefore, he hoped the Government would not give way, especially as it was in the power of the Privy Council to alter the time for watering beasts to every 24 hours if they so chose. As the Privy Council already had discretion in so many more important matters, surely they might be allowed the same in such a subject as that of watering animals. He was fully persuaded that to give cattle water every 24 hours would do more injury to them than allowing them to go without for 30 hours.

The words "twenty-four" were then *substituted* for "thirty."

MR. PEASE did not wish to raise any objection to what the House had done with regard to the hours for water; but he had a very strong impression that when his right hon. Friend below him (Mr. W. E. Forster) originally fixed 30 hours, he did so after a complete inquiry as to what was the practice and what was convenient. Therefore, he made this suggestion to his hon. Friend opposite (Sir Henry Selwin-Ibbetson), that he should point out the reason for originally adopting 30 hours, in case any alteration should be proposed on Report.

MR. CLARE READ said, if sheep were to be considered as animals which were to be watered every 24 hours, he could safely state that many would not drink within that time, even on the hottest day.

Clause, as amended, *agreed to.*

Dairies, Cow-sheds, and Milk-shops.

Clause 32 (Power for Privy Council to make orders relative to dairies, cowsheds, and milk-shops).

SIR JAMES M'GAREL-HOGG moved, in page 16, after line 28, to insert the following sub-section;—

"(*a.*) For the registration with the local authority of all persons carrying on the trade of cow-keepers, dairymen, or purveyors of milk."

He saw no reason why this should not be done the same as in the case of the sellers of petroleum, and other things, who were subject to the rules of the local authorities.

Mr. ANDERSON hoped the Government would consent to the proposed sub-section.

Amendment *agreed to.*

Sir JAMES M'GAREL-HOGG moved to insert the following sub-section:—"For the isolation of any cattle newly purchased." It was frequently found that newly-purchased cattle brought disease with them; whereas, if they were isolated, it would prevent infection being spread.

Sir HENRY SELWIN-IBBETSON did not think it would be necessary to insert the words proposed by the hon. and gallant Baronet, as the object he had in view was met by Sub-section 17.

Sir JAMES M'GAREL-HOGG said, that being the case, he would withdraw his Amendment.

Amendment, by leave, *withdrawn.*

Mr. J. W. BARCLAY moved to insert, in page 16, line 29, after "for," the words "the inspection of cattle in dairies, and for."

Amendment *agreed to.*

Mr. J. W. BARCLAY moved, in page 16, line 33, to insert before "milk-shops," the words "milk-stores."

Amendment *agreed to.*

Mr. ANDERSON moved, in page 16, line 36, after the word "contamination," to insert "from typhoid fever as well as other disease." His Amendment, he said, was in the same direction as others which had already been admitted, although, perhaps, it went a little further. It was well known that a great deal of very dangerous typhoid fever was really caught from the contamination of milk. The Privy Council undoubtedly had the power to deal with typhoid fever under the Bill; and the best way to do so was to prevent the sale of contaminated milk, which was one of the most fruitful sources of the disease. It had been proved, as clearly as anything was capable of proof, that typhoid fever spread over a great part of a large town had sprung entirely from a dairy; and, therefore, he hoped his Amendment would be agreed to. If it was not, it would be almost necessary for the Government to introduce a special Bill to deal with dairies; but he trusted they would show themselves desirous of settling the matter without the necessity of separate legislation.

Sir HENRY SELWIN-IBBETSON could not agree to the Amendment. He was quite aware that it had been asserted, and proved, that a form of typhoid fever had resulted from drinking milk which had been under certain conditions contaminated. But he believed the words of the clause as it stood were quite sufficient to enable the Privy Council to take means to prevent the sale of milk which was contaminated; and if they used those means, the results of consuming contaminated milk would not arise.

Mr. LYON PLAYFAIR said, he attached the greatest importance to the whole clause; but he did not think the words proposed to be inserted by the hon. Member for Glasgow would be of any advantage. For instance, scarlet fever and dyptheria resulted from drinking contaminated milk as much as typhoid fever; and therefore he could not see why one disease should be singled out to be dealt with.

Mr. ANDERSON said, his Amendment contained the words, "as well as other disease," and, therefore, it was not limited entirely to typhoid fever. However, after the expression of opinion of the right hon. Gentleman, he would withdraw his Amendment.

Amendment, by leave, *withdrawn.*

Clause, as amended, *agreed to.*

Foreign Animals.

Clause 33 (Prohibition of importation, slaughter, or quarantine).

Mr. W. E. FORSTER moved that the clause be postponed until after the consideration of Clause 74. His object in bringing forward such a Motion was this. They had gone through the whole of the clauses intended to stamp out home diseases—pleuro-pneumonia and foot-and-mouth disease. Now they came to a clause dealing with foreign animals. But before they considered that clause, they ought to settle what was to be done with Irish animals; and, therefore, he would postpone Clause 33 until they reached Clause 74. True, the methods of stamping out disease in Ireland were to be the same as those adopted in England, discretion being given to the Privy Council. But there were two different bodies—England and Scotland being under the regulation of the Privy Council of England, and Ireland under the regulation of the Privy Council of that country. The result might be that different Orders would be given in England to those given in Ireland. Therefore, he thought they ought to see that different Orders were not given in the two countries before they dealt with the clause affecting foreign beasts.

SIR HENRY SELWIN-IBBETSON consented to the postponement of the clause.

Clause *postponed.*

Clause 34 (Regulations of ports).

SIR HENRY SELWIN-IBBETSON moved, in page 18, at end of clause, to add, as a new paragraph—

> "Notwithstanding anything in this Act, the Privy Council may, from time to time, if they think fit, in relation to any district or part of a district described in the Second Schedule, make any body, other than the body described in that Schedule, the local authority for the purposes of the provisions of this Act relating to foreign animals, and in connection with the local authority so made, prescribe the local rate, if any, and the clerk of the local authority."

The Government had found it necessary with regard to certain places, and especially Liverpool, to give power to the Privy Council to create another local authority other than the actual local authority.

MR. WHITWELL thought it would be very unreasonable to give the Privy Council power to set up any other local authority in counties than the one now in existence.

MR. W. E. FORSTER could not gather from the speech of the Secretary to the Treasury why the power sought for should be given, and he opposed the new paragraph.

MR. PEASE thought the proposal of the Government went too far, giving the Privy Council power to do as they liked throughout the country.

MR. RYLANDS offered the strongest opposition in his power to the proposal. He could not at all understand why power should be given to create bodies to take the place of those already existing. The House did not at all know who were to take the place of the local authorities. The new bodies might be nominees for all the House knew. As his hon. Friend the Member for Liverpool (Mr. Rathbone) was not present, he would suggest to the hon. Baronet the Secretary to the Treasury as that place was so much interested, whether it would not be well to postpone the Amendment until the hon. Member was in his place.

SIR HENRY SELWIN-IBBETSON said, he was quite willing to leave out this Amendment. He had consented to it because the hon. Member for Liverpool drew his attention to the subject; but as objection had now been taken to it, and the hon. Members for Liverpool were not in their place to defend the clause, he would not press it. Of course, it would be competent for the hon. Gentleman to bring the clause up again on Report, if they desired it should be accepted.

Amendment, by leave, *withdrawn.*

Clause, as amended, *agreed to.*

Powers and Duties of Local Authorities.

Clause 35 (Local authorities to be treated as incorporated) *agreed to.*

Clause 36 (Committees of local authority) *agreed to.*

Clause 37 (Provision of places for landing of foreign animals).

MR. E. S. HOWARD moved, in page 18, line 25, to leave out "foreign."

SIR HENRY SELWIN-IBBETSON hoped the Amendment would not be pressed. It would interfere with the principle of the Bill. After they had provided for the due inspection of localities, and for the making of a proper attempt to deal with disease as it broke out in the homesteads, both in Ireland and England, if they were now to proceed on the idea of treating Ireland as a foreign country, they would depart from the principle on which the Bill was founded.

Mr. WHITWELL hoped that the Amendment would not be withdrawn, but that it would only be postponed until they saw that the arrangement which was made in respect to Irish cattle was satisfactory.

Amendment, by leave, *withdrawn.*

Mr. CHAMBERLAIN said, the hon. Baronet had given an undertaking that he would revise the tolls; and he hoped, at the same time, he would consider the effect of this clause. It appeared to him to give unlimited power to the City of London to charge what tolls they pleased. As regarded existing tolls, he believed they had to obtain some sanction; and he suggested that, in future, it should be necessary that they should obtain the authority of some Department before they were allowed to impose them.

Sir HENRY SELWIN-IBBETSON promised to consider the suggestion just made.

Clause *agreed to.*

Clause 38 (Power for local authority to acquire land).

Mr. WHITWELL desired to know whether there was anything in the Bill which prescribed the locality in which the burial-ground for the cattle was to be placed; because the movement of diseased cattle was most important. No doubt, in some harbours and ports, it was difficult to get land where the bodies could be buried; but there ought to be some provision as to the distance and mode in which the animals were to be carried.

Sir HENRY SELWIN-IBBETSON said, those were matters which were amongst the powers of the Privy Council; and as difficulty had arisen to find land immediately near the spot where the diseased cattle were slaughtered to bury them, this clause had been put into the Bill for the purpose of giving power to acquire land.

Mr. WHITWELL asked whether the Government would take into consideration the propriety of not placing the bodies in the river, but burning them?

Clause *agreed to.*

Clause 39 (Duties of local authorities and enforcement thereof).

Mr. J. W. BARCLAY moved, in page 19, line 34, to leave out the word "may," and insert "shall." He did this in order to strengthen the hands of the Privy Council. The clause contemplated that certain local authorities might fail to carry out the provisions of the Act, and then the clause said the Privy Council might interfere. His Amendment was that it should be imperative on the Privy Council to see that the Act was carried out in cases where it was obvious that the local authorities were not doing so. He recollected very well that when certain complaints had been hitherto taken to the Privy Council, as regarded local authorities not complying with the law, the reply was that there was no power to compel them. Now, in this clause power was taken to compel them; but it was only a permissive power, which the Privy Council might sometimes be adverse to putting in motion, and, therefore, he desired to make it imperative.

Mr. CHAMBERLAIN hoped the Amendment would not be accepted, because he believed it would lead to great inconvenience, and, in some cases, to hardship. There were an enormous number of regulations contained in this Bill, which, as soon as they became law, the local authorities would be expected to study. Now, it seemed to him very probable that some one of these authorities might, inadvertently, fail to carry out the provisions of the Act, and then under the clause, as it was proposed to be altered by the hon. Member, the Privy Council should be compelled to supersede the local authority, and put in an officer to carry out the Act. This, he thought, would be limiting the discretion of the Privy Council in an absurd manner, especially after the large amount of discretion they had already given that Department. If the hon. Member insisted on his Amendment, he should certainly divide the Committee against him.

Mr. J. W. BARCLAY said, his Amendment was scarcely of the character which had been described. What he contemplated was that where the local authority, when the Privy Council had directed attention to their failure to carry out the Act, still refused to carry it out, then steps should be taken by the Department to enforce the Act. He should not object to words being added to the clause to meet any case of inadvertence.

SIR HENRY SELWIN-IBBETSON confessed he had sufficient reliance upon the Privy Council to be assured that they would put the Act in force in cases where they found a local authority was not doing so. He, therefore, opposed the Amendment, because it might lead, in some instances, to hardship.

MR. J. W. BARCLAY contended that there was already sufficient discretion left with the Privy Council, and that in this matter the performance of the duty ought to be made imperative on them.

MR. MUNTZ considered that it would not be wise to bind the Privy Council down in this matter.

Amendment *negatived.*

Clause *agreed to.*

Clause 40 (Inspectors and other officers of local authority) *agreed to.*

Clause 41 (Reports to Privy Council) *agreed to.*

Clause 42 (Orders and regulations of local authorities) *agreed to.*

Clause 43 (Powers of local authorities to be for their district) *agreed to.*

Police.

Clause 44 (Duties and authorities of constables).

SIR HENRY SELWIN-IBBETSON moved, in page 22, line 23, after the word "each," to insert the words "police district or area."

Amendment *agreed to.*

SIR JAMES M'GAREL-HOGG moved, in page 22, line 22, to insert the words "subject to the local authority," after the word "shall."

SIR HENRY SELWIN-IBBETSON said, he opposed the Amendment, on the ground that its practical effect would be to place the Metropolitan Police under the Metropolitan Board of Works. The Metropolitan Police were a distinct body, acting under the Secretary of State; and he was of opinion that no such authority as that which it was asked to confer on the Metropolitan Board of Works ought to be introduced in a Bill of this kind.

Amendment, by leave, *withdrawn.*

SIR HENRY SELWIN-IBBETSON moved, in page 23, line 3, after "purpose," to leave out to end of paragraph, and insert—

> "And all enactments relating to the release of persons or recognizances taken by an officer of police or a constable shall apply in the case of a person apprehended under this section."

Amendment *agreed to.*

Clause, as amended, *agreed to.*

General.

Clause 45 (General powers of inspection).

MR. J. W. BARCLAY moved, in page 23, line 20, after "applies," to insert "or milk store."

Amendment *agreed to.*

SIR HENRY SELWIN-IBBETSON moved, in page 23, line 41, to leave out after "disease," to end of paragraph, and insert—

> "Specified in the certificate shall for the purposes of this Act be conclusive evidence in all courts of justice of the matter certified."

Amendment *agreed to.*

Clause, as amended, *agreed to.*

Clause 46 (Power for detention of vessels) *agreed to.*

Clause 47 (Expenses of burial of carcases washed ashore) *agreed to.*

Clause 48 (Power to exclude strangers by notice) *agreed to.*

Clause 49 (Provisions for protection of local authority and persons acting under Act) *agreed to.*

Clause 50 (Evidence and form and service of instruments) *agreed to.*

Clause 51 (Provisions respecting Orders of Council) *agreed to.*

Clause 52 (Yearly return to be laid before Houses of Parliament).

SIR HENRY SELWIN-IBBETSON moved, in page 26, line 42, after "Council," to insert "made since the date of the last return, and every previous Order in Council."

Amendment *agreed to.*

Clause, as amended, *agreed to.*

Offences and Proceedings.

Clause 53 (Fines for offences).

Mr. W. E. FORSTER asked, whether it was the case that the not giving of notice was made an offence; and, if so, where?

Mr. PEASE said, he thought his right hon. Friend would see that under Section 30 the Privy Council took power to make rules prescribing and regulating the notice of diseases, or of the illness of an animal to be given to, or by, any person or authority.

Mr. W. E. FORSTER said, he did not know whether this was the time to do it; but he did not think it ought to be left concealed under any possible rule. He thought there ought to be somewhere in the Act a positive statement. Perhaps the hon. Baronet would undertake to bring up such a provision on Report.

Mr. CLARE READ said, he had given Notice of an Amendment for that very purpose. He hoped that before they passed the Bill they would not simply leave the matter to the Order in Council, as the Bill proposed at present.

Mr. J. W. BARCLAY said, he thought that this was a matter that ought to be left to the discretion of the Privy Council. When a man failed to report disease, it was difficult to say whether it was from ignorance or design. He had known cases in which an animal had been attended by a Veterinary Inspector for a week or two before he was able to determine that it was pleuro-pneumonia. In fact, a case came to his notice only a week or two ago, in which an Inspector had been attending an animal for two or three weeks, and was only then able to discover that it was pleuro-pneumonia. It was an exceedingly difficult matter; and he thought it would require to be a very carefully-drawn section. It would be necessary, while putting a certain amount of onus on every owner of cattle, to prevent a person suffering from mere ignorance.

Sir HENRY SELWIN-IBBETSON said, the way in which the Government proposed in the Bill to meet the difficulty suggested by the right hon. Gentleman the Member for Bradford was by the combined action of the 2nd sub-section of Clause 54 and the 1st sub-section of Clause 30. By the 1st sub-section of Clause 30, the Privy Council might make general and special Orders for

> "prescribing and regulating the notice of disease, or of the illness of an animal, to be given to or by any person or authority."

And then Sub-section 2 of Clause 54 said—

> "If, without lawful excuse, proof whereof shall lie on him, he fails to give, produce, observe, or do any notice, licence, rule, or thing which by this Act or by an Order of Council or by a regulation of a local authority, he is required to give, produce, observe, or do."

If the person neglected to do that which, referring back to Clause 30, was required in the case of the disease or illness of an animal, he was guilty of an offence against the Act. He believed the combination of those two sub-sections would effect the object of the right hon. Gentleman.

Mr. W. E. FORSTER said, he did not think the interpretation of the Act ought to be left to the magistrates.

Sir HENRY SELWIN-IBBETSON said, he would look into the matter.

Mr. PEASE said, he had a rather strong opinion that they ought to have the declaration on the face of the Act. The great point was to make it incumbent on every person who had a diseased animal, whether it was suffering from foot-and-mouth disease or pleuro-pneumonia, to give notice to the Veterinary Inspector, in order that they might prevent the spread of disease.

Mr. WHITWELL said, he should like to ask the hon. Baronet whether Sub-section 2 was entirely in accord with Sub-section 1? In Sub-section 1, a penalty of £20 was prescribed for each offence; but by the 2nd sub-section the penalty was limited to £5 each animal, where there were more than four animals. So that if there were five animals, the fine would be limited to £5, although the offence in each case was just as great as where there was a single animal for which the penalty was £20. He should also like to ask the hon. Baronet whether he thought it would be wise to subject offences committed in relation to manure or litter to penalties according to the weight? Surely, the sooner the litter and manure were put out of sight the better, without waiting to ascertain the weight. He wanted the Bill to be as good as it could be; and as it was desirable that dead carcases, manure, or litter, which created an offence, should be put out of sight as soon as possible, he did not think they should be suffered to remain till the exact weight was ascertained. He trusted the hon. Baronet would see what his object was, and perhaps he would take the point into consideration.

SIR HENRY SELWIN-IBBETSON said, he would promise to consider the matter. At the same time, he imagined that the method proposed had been found by experience to be the best method of carrying out the Act. It was not so much a question of weighing the manure in the manner the hon. Member suggested, because the carts which were employed in its removal generally carried a fixed quantity and weight.

Clause *agreed to.*

Clause 54 (General offences).

SIR CHARLES W. DILKE moved, in page 27, line 24, to insert after the word "Council," the words "made under this Act."

SIR HENRY SELWIN-IBBETSON said, he wished to know whether the hon. Baronet desired that his Amendment should apply to Orders in Council only?

SIR CHARLES W. DILKE withdrew his Amendment, and moved to insert after the word "authority," line 24, page 27, the words "made under this Act."

MR. SYNAN said, the words were perfectly superfluous, and, if introduced, would only create an ambiguity which did not exist without them.

Amendment *agreed to.*

SIR CHARLES W. DILKE moved to insert after the word "authority," in page 27, line 28, the words "made under this Act."

MR. J. W. BARCLAY asked, if this applied to the regulations of local authorities made under an Order in Council? If the words were not introduced, the clause would apply to both cases; but, seeing that the Amendment limited the matter to "this Act," there might be some doubt about it, and the decisions of country magistrates could not be expected to be very deep.

SIR HENRY SELWIN-IBBETSON said, he confessed that he ought to have been better informed upon the matter, and ought to have resisted the Amendment before; but all he could do now was to point out to the hon. Baronet where the object he had in view was met in the Bill, and he thought it would be necessary to give Notice to reject on Report the Amendment which had just been introduced. The object aimed at by the hon. Baronet was provided for on page 20 of the Bill, line 39.

SIR CHARLES W. DILKE said, the place where he first moved to insert these words was after the word "Council," in line 24, page 27; and that was not in the least met by the observations of the hon. Baronet. He wished to insert them after the word "Council."

SIR HENRY SELWIN-IBBETSON: And after the word "authority?"

SIR CHARLES W. DILKE: Yes; but, in the first place, after the word "Council." I withdraw the Motion to insert the words here, in order to move their insertion after the word "Council."

Amendment, by leave, *withdrawn.*

SIR CHARLES W. DILKE moved to insert, after the word "Council," in line 26, page 27, the words "made under this Act."

SIR HENRY SELWIN-IBBETSON said, he must resist the Amendment of the hon. Baronet. If the Amendment was necessary, it could be made on Report; but he could not consent now to the introduction of words which would cause confusion in many other parts of the Bill.

SIR CHARLES W. DILKE said, he could not help thinking that without these words the clause would be vastly too wide. There were two classes of penalties for an offence which was a breach of an Order in Council without any limiting words at all. He thought they ought to have some legal opinion on the point.

MR. J. W. BARCLAY said, the word "Council" occurred frequently in this clause and in other clauses; and if it was necessary to insert the proposed words in one part, it would be necessary to insert them in all. If such an Amendment was necessary at all, it ought to be done as a separate clause.

MR. CLARE READ said, he could not believe that these words were necessary. If they were necessary here, they would be necessary in other parts of the Bill. He should say, put them in if they were necessary; but he had been assured by one of the best authorities that with the words "Order in Council" there was no necessity for them.

Sir CHARLES W. DILKE did not like to allow the clause to pass without these words. The point was this. The words "Order in Council" occurred repeatedly, and they were creating penalties for offences which consisted in a breach of certain regulations. They were described as—

> "Things done in contravention of this Act, or of an Order in Council, or of a regulation of the local authority."

The words "Order in Council" ought to be limited by the words "made under this Act."

Mr. SYNAN saw no objection to introducing the words "under this Act" after "Order in Council." If the hon. Baronet persisted in saying the words ought to be inserted, then, for the sake of expedition and peace, let them be inserted.

Sir HENRY SELWIN-IBBETSON thought that the powers of the Privy Council were limited by the 1st section of Clause 8. This point had been carefully considered, and he could not consent to alter the Bill in the way the hon. Baronet suggested.

Mr. PEASE pointed out the inconvenience arising from bringing forward Amendments of this technical character without having previously placed them on the Paper, and hoped that the hon. Baronet would defer them till the Report.

Mr. W. E. FORSTER was inclined to think that the words of the 8th clause met the objection of his hon. Friend the Member for Chelsea. The words were—

> "In this Act Her Majesty's Most Honourable Privy Council is referred to as the Privy Council, and an order of the Privy Council under this Act is referred to as an Order in Council."

Therefore, an Order in Council was an Order in Council under this Act.

Amendment *negatived.*

Clause, as amended, *agreed to.*

Mr. Clare Read

Clause 55 (Imprisonment instead of fine for use of expired licences, digging up of carcases, and other specified offences).

Mr. PELL moved, in page 29, after paragraph (xii.), to add—

> "(xiii.) If after having been previously convicted under section fifty-four of an offence against this Act he shall again be guilty of the same offence."

He explained that the object of the Amendment was to provide that a person who was guilty of a second offence against the Act under the previous section should be liable to imprisonment. The Committee would observe that under that section the movement of diseased cattle was regulated. Their passing over roads, or being brought into uninclosed places, was made an offence; and it had been brought to his own knowledge that there were people in the Midland Counties who actually laughed at the fines imposed upon them for these offences, and who repeatedly moved diseased cattle about, to the very great injury of the community. He feared that unless some Amendment such as he suggested were introduced, enabling these offenders to be dealt with more stringently than at present, the Act would not effect what they all desired.

Sir HENRY SELWIN-IBBETSON desired to point out to his hon. Friend the Member for South Leicestershire that he thought his object was already met by the Bill. In the 1st sub-section of Clause 55, it was enacted that "if any person does any of the following things he shall be guilty of an offence," and then followed a list of the offences. Whenever a person committed a fault as against this section, he was guilty of an offence, and was liable to penalties. If he repeated the offence he rendered himself again liable, and there was no necessity to prove a previous conviction.

Mr. PELL: The hon. Baronet does not understand my Amendment.

Mr. W. E. FORSTER did not think the hon. Gentleman the Secretary to the Treasury understood the point. Clause 54 said that certain things were in contravention of the Act, including the questions of notice, licence, &c. Clause 55 said that certain other things were against the Act, such, for example, as doing a thing licensed after the licence had expired. But they were all special, and for these offences there was to be, or might be, imprisonment. What his hon. Friend the Member for South Leicestershire proposed was that a person committing a second offence against the Act under Section 54 should be punished by imprisonment, instead of, as at present, by a fine only.

MAJOR NOLAN hoped that the Government would not assent to the Amendment, which might be made an engine of oppression in Ireland.

MR. PELL failed to see the force of the objection which had been raised to his Amendment by the hon. Gentleman the Secretary to the Treasury; because, as the right hon. Gentleman the Member for Bradford (Mr. W. E. Forster) had pointed out, the offences under Section 55 were specified, and referred to ordinary licences and certificates. But what he (Mr. Pell) wanted the Committee to observe was this—that the movement of cattle was to be regulated by Order in Council or by the regulation of a local authority; and that to commit an offence against the orders of the local authority, or of the Privy Council, or in reference to the moving of cattle, and bringing them into an open place, was nothing more than an offence against the 54th section of the Act, punishable only by fine. It was the practice of some people, who were well known, to convey diseased animals about the country; and in the part of the country where he lived, a vast amount of disease had been generated in that way. For instance, under Section 30, the Privy Council might make Orders for the isolation or separation of animals in an infected place; and if a person disobeyed such Orders, he could but be fined. If Parliament had really made up its mind to stop the movement of diseased animals in the country, it would be necessary to put into the hands of the Executive the power to imprison a person who repeatedly committed one of these offences. He should have no objection to add to his Amendment words providing that it should only refer to cases where there had been a conviction within 12 months. [MR. PEASE: Six months.] He (Mr. Pell) was sure that, on reflection, it would be seen that it was not sufficient to impose a mere fine for neglecting to isolate infected animals, or for moving them over roads, and bringing them into the market. Merely to fine a man for carrying on an illicit trade under one's nose seemed to him to be not an adequate punishment, and in practice it had not proved to be so.

COLONEL MURE begged to support the view of the hon. Member for South Leicestershire. The reckless way in which diseased animals were moved about the country was a scandal; and there was no doubt that the imposition of a fine was not sufficient to put a stop to it. Only the other day, a man brought a cow very ill with pleuro-pneumonia into open market. If that man knew that imprisonment would follow the detection of such an offence he would not be likely to commit it. He sincerely hoped that the hon. Member for South Leicestershire would press his Amendment.

COLONEL RUGGLES-BRISE hoped that the Government would not accept the Amendment of his hon. Friend the Member for South Leicestershire. He thought it was hardly necessary that for a second offence they should imprison a person in the class of life of those whom the Bill would affect. He had no objection to the pecuniary penalty being made more severe.

MR. WHITWELL thought the hon. and gallant Member for Essex (Colonel Ruggles-Brise) had rather forgotten that the infliction of the punishment of imprisonment was not compulsory. It was simply left to the discretion of the justices to inflict imprisonment or not. Taking into consideration the serious nature of the offence mentioned by the hon. and gallant Member for Renfrewshire (Colonel Mure), he thought the Bill would be inefficient, unless the magistrates had power to inflict imprisonment. He would ask the hon. Member for South Leicestershire whether he would object to include the word "knowingly" in his Amendment? He should certainly support the Amendment in case the hon. Member went to a division.

SIR HENRY SELWIN-IBBETSON had no wish to resist the feeling of the Committee generally if it was in favour of the Amendment; but while accepting the principle of the Amendment, he would ask his hon. Friend the Member for South Leicestershire to allow him to consider the words which he had placed upon the Paper, and to see where they ought to be introduced into the clause.

Mr. PELL: I presume the Government agrees to the principle?

Colonel MURE: I should like to ask whether the hon. Gentleman the Secretary to the Treasury accepts the principle of imprisonment, or of a heavier fine for a second offence?

Sir HENRY SELWIN-IBBETSON: What I said was, that I accepted the principle of my hon. Friend, and I understand that carries the punishment of imprisonment for a second offence. What I asked him was to allow me to consider the words, and the exact place where they should be introduced into the Bill.

Mr. J. W. BARCLAY apprehended that farmers would be held responsible for the acts of their servants; and, under Clause 54, they might be fined for any inadvertent act of omission or commission which any of their servants might commit on their farms. He quite agreed with the general view of his hon. Friend the Member for South Leicestershire, that confirmed breakers of the law, and those who broke the law wilfully, should be punished by imprisonment; but how was he going to discriminate between a farmer whose servants transgressed and that class of offenders? They must keep in mind that under this Act a great many orders might be made by the local authorities; and he knew that at one time it was utterly impossible for farmers to know what was or was not the law without consulting a lawyer.

Mr. CLARE READ thought the Amendment of his hon. Friend the Member for South Leicestershire meant this—that for a second offence the magistrate should be obliged to send the offender to prison. ["No!"] He hoped that was not so, and that the magistrate might be at liberty to impose a fine.

Mr. SYNAN said, his hon. Friend the Member for Kendal (Mr. Whitwell) was under quite a mistake as to the use of the word "discretion." What was here left to the magistrates was only a discretion as to the extent of the punishment. If a man was convicted, the magistrate would be bound to imprison him, the term of imprisonment not to exceed three months.

Mr. PELL said, that if the hon. Member opposite (Mr. Synan) would read the paragraph of the clause which followed his Amendment, he would see that the punishment was not of necessity one of imprisonment—

> "And in every case in this section specified he shall be liable, on conviction, in the discretion of the Court of Summary Jurisdiction before which he is convicted, to be imprisoned for any term not exceeding three months, with or without hard labour, in lieu of the pecuniary penalty to which he is liable under this Act."

Mr. PEASE understood that the Committee were not now discussing the exact words of the Amendment, the principle of which had been accepted by the Secretary to the Treasury. The Amendment was really intended to apply to those people who speculated in bad beasts, knowing that a fine could be paid out of the difference between the destruction of the beast and the sale of it.

Lord ELCHO remarked, that, as he understood the question, the magistrate, under Clause 54, could only fine. The hon. Member for South Leicestershire wished to extend the power of the magistrate, so as to enable him to imprison, where a man wilfully or knowingly offended again. He (Lord Elcho) thought that was a salutary change.

Sir HENRY SELWIN-IBBETSON said, he fully understood what was in the mind of the Committee. In accepting the proposal of his hon. Friend, he accepted the principle of giving to the magistrate, on a second offence being proved under Clause 54, the alternative of imprisonment in lieu of fine.

Major NOLAN should like to read one portion of Clause 54, which the Government proposed to make penal—

> "If he does or omits anything, the doing or omission whereof is declared, by this Act, or by an Order of Council, to be an offence by him against this Act."

He would undertake to say that there would not be one farmer out of 100 who would know what was in this Act, or in an Order in Council; and yet they were exposing that man to the risk of being summarily sent to prison for some slip which he, or some of his servants, might make, if it were discovered that he had previously offended against the law. He knew one man in his own county who was paying £800 a-year rent, and who did not speak English. If the Committee sanctioned this Amendment, they would be putting a new engine of oppression into the hands of the justices in Ireland, who were hostile in religion and politics to the people.

MR. FRENCH remarked, that the hon. and gallant Member for Galway (Major Nolan) seemed to forget that the magistrates of Ireland had taken an oath to discharge the duties of their office without fear, favour, or affection. He had no doubt that, in administering the law under this Act, they would take into consideration the circumstances of each case; and, in his opinion, a conviction under this clause did not necessarily entail imprisonment. A magistrate would have the power to order imprisonment where he saw that a flagrant and wilful breach of the Act had been committed; but he did not believe there was a man on the Bench in Ireland who would imprison a man who had offended in ignorance of the Act.

MAJOR NOLAN believed that the power which it was now proposed to confer on magistrates would be very often unjustly used in Ireland. Unfortunately, there was not the same amount of confidence between the farming class in Ireland and the magistrates, as existed in England; and he objected to placing in the hands of the latter a summary power of imprisoning for a second offence, which a man might not know he was committing. He should feel it his duty, on the Report, to take a division against the proposal.

MR. BIGGAR said, that before the Amendment was withdrawn, he thought it was his duty to offer his opinion as to the controversy between the hon. Member for Roscommon (Mr. French) and the hon. and gallant Member for Galway (Major Nolan). He was not personally disposed to bring a wholesale charge of dishonesty against the Irish magistrates; but, at the same time, he knew, of his own knowledge, that there were a good many among them who were not praiseworthy. The fact was that they were so prejudiced, and had so little sense of justice, that really they were not competent to give an impartial opinion on a simple proposition; and, for that reason, he thought, the hon. Member for South Leicestershire (Mr. Pell) was quite right in proposing to withdraw his Amendment. He should like to have an assurance from the Government that they did not intend to bring this question forward on the Report. If so, they would oblige him to move Amendments to every line, not only of Clause 54, but of Clause 55. The hon. and gallant Gentleman the Member for Galway had alluded to one sub-section of the clause, and he (Mr. Biggar) would refer to another—

> "If, without lawful excuse, proof whereof shall lie on him, he does anything which by this Act, or an Order in Council, to be an offence by him against this Act."

If he failed to give, produce, observe, or do any notice, or refused to an Inspector, or other officer, acting in execution of the Act, or of an Order in Council, or of a regulation of a local authority, admission to any land, building, place, &c., the unfortunate man, who was liable to three months in gaol, would be called upon to prove a negative. He would have to prove that he did not know he was committing a breach of the law. He might have no means of doing so, and would, therefore, be liable to be imprisoned. The whole thing seemed to be so preposterous, that unless the Government gave some assurance that a man would not, under such circumstances, be imprisoned, he himself would move Amendments to each of the sub-sections that had been referred to.

MR. PARNELL thought that before the Amendment was withdrawn, the Committee ought to know the mind of the Government, if, indeed, they had any mind at all upon this question. The question, undoubtedly, was one of considerable importance. The punishment of imprisonment, as proposed by the Bill, was a serious matter, although it might be reserved by the Government for offences of a very special character. Now, the Amendment of the hon. Member (Mr. Pell) proposed to extend the punishment, if offences were committed a second time, which offences were not offences originally when committed the first time, and which did not carry with them the punishment of imprisonment. He thought that when the Committee came to consider how the law would stand after this Cattle Diseases Bill, they would see that they had introduced a great variety of regulations, which had never existed previously, in connection with the stamping out of cattle disease. They were putting foot-and-mouth disease under the operations of the Act. If they made it penal—if they punished a farmer by imprisonment, especially under the new prison rules, which were of a severe character—he believed that many of the farmers in Ireland would not be so much obliged to the hon. Member for Roscommon (Mr. French) as he himself seemed to suppose they would be. Under all the circumstances, he thought the Committee had a right to know in what way the Government regarded this Amendment. Was a man to be imprisoned if it should happen that he committed one of the trivial offences contemplated under the 54th clause of the Bill, a second time over; or was imprisonment to be reserved for the more heinous offences named in the subsequent clauses?

Mr. FRENCH said, that if the hon. Gentleman the Member for Meath (Mr. Parnell) had been in the House when he spoke, he would have perceived that he did not advocate the adoption of imprisonment to farmers. He took objection to something that was said with regard to the magistrates by the hon. and gallant Gentleman the Member for Galway (Major Nolan). What he (Mr. French) said was, that there were no magistrates in Ireland who would send a farmer to prison except he willingly offended against the law.

Mr. PARNELL said, that if the hon. Member for Roscommon did not say anything in favour of imprisonment, he certainly did not raise his voice against it. The tendency of his argument, certainly, was in support of the clause.

Major NOLAN thought the Committee was being misled by those who represented the farmers of England. The farmers, generally, supported the Members for the counties, and the Members for the counties, therefore, represented their views, and the principle of both was the same. Quite a different thing existed in Ireland. The farmers sent Members to Parliament, and it was well known that many of them were opposed to the magistracy. If the English Representatives of the English farmers, therefore, insisted on forcing the clause on the Irish farmers, they would be doing a serious injury to them. They would make the Bill a political Bill—they would bring in political oppression, and that popularity which the hon. Member for Roscommon (Mr. French) seemed to conceive existed in Ireland would disappear altogether. He (Major Nolan) admitted there were many good magistrates in Ireland; but, on the whole, they were not such an excellent body of men as the hon. Member for Roscommon seemed to think they were.

Mr. RODWELL thought there had been a great deal of unnecessary discussion as to the difference between the English and Irish farmers. It was satisfactory to hear that those who represented the counties were willing to abide by the clause. He would not say that if a farmer offended against the law he ought not to be punished or subjected to the same penalties as those persons who sent dead meat that was diseased to London or elsewhere; but he conceived that the power which it was proposed in the Bill to give to the magistrates would be very useful. If the penalty was only a fine, the offence would become a matter of speculation, and a man would do all that he could to smuggle bad meat into the markets. He did not think that the power of imprisonment would prove a hardship upon offenders; and, therefore, he should support the Amendment. Another advantage, he believed, would be derived from its adoption. The magistrates, who had to carry out the law, would see that the parties who had to publish the Orders, whether those Orders were issued by the Privy Council or the local authorities, did their duty; and, therefore, people would not have an opportunity of pleading ignorance of the subject. It would make people more careful in their transactions, and so it would carry out the object they all had in view—namely, to stamp out and remove cattle disease from this country.

Major NOLAN said, that before the Committee passed the clause, he should propose another Amendment to the effect that no offender should be imprisoned unless he had been tried before a jury.

Amendment (*Mr. Pell*), by leave, *withdrawn.*

Mr. BIGGAR, who intimated that he had a prior Amendment on the Paper, said, that he should move the insertion of the words "to a penalty not exceeding £50." All the principles of the Act, he believed, would be guarded by the infliction of a heavy fine, instead of imprisonment as proposed. No man in his senses would, intentionally, do any of the things spoken of in the clause; and, therefore, it would not be reasonable to allow a magistrate to send a man to prison for three months for doing that which he never intended to do. According to the new prison rules, it would be a serious thing to send a man to prison to lie for a month on bare boards. It seemed to him that the parties who were promoting the Bill were desirous of making it as unpopular as possible. He should move, as an Amendment, to strike out all the words in line 36, from the words "after conviction" to the end of the clause, and to insert "a penalty not exceeding £50."

Sir HENRY SELWIN-IBBETSON could not assent to the Amendment proposed. The penalty of imprisonment would not be inflicted except in certain specified cases. It was not proposed to go beyond that. He believed in the soundness of the principle laid down in the Bill, that if there was a serious case committed knowingly by a person who had offended before—if he by his acts was likely to render all attempts to bring about a remission of the disease—if he really prejudiced the effort that was being made in that direction—there ought certainly to be a right of imprisonment under the Act. It was no novelty to give summary jurisdiction to a magistrate in a matter of the kind. With regard to one of the Amendments which had been withdrawn, and which had reference to a previous clause, he (Sir Henry Selwin-Ibbetson) had stated distinctly that, whilst admitting the principle of the Motion proposed by the hon. Member for South Leicestershire—that imprisonment in lieu of a fine might be given, when the offences were serious—and they would become serious when a man offended the law wilfully—he was quite prepared to limit the power by the insertion of certain words, so as to make it a fact that breaches of the law should be committed wilfully and with a guilty knowledge—two or more breaches within a given time. It would be pointed out to the magistrates that they should act carefully and with discretion, and only inflict imprisonment in the worst cases that might come before them. To deprive the magistrates of the power which they already possessed in so many analogous cases, would be striking at the root of that which Parliament was anxious to do—namely, to get rid of the cattle disease in this country. It would certainly be injudicious to adopt the Amendment of the hon. Member for Cavan (Mr. Biggar), and he must dissent from it.

Major NOLAN wished to support the Amendment, and to point out its position at the present moment. He himself, and some other hon. Members, thought that three months' imprisonment should be imposed for 12 specified offences under the Act. He was quite willing that three months' imprisonment should be imposed for any offence against one of these definite provisions. But what the Government did when the hon. Member for South Leicestershire (Mr. Pell) moved his Amendment was to go back to Clause 54, and for an indefinite offence to give three months' imprisonment on a second conviction, and without an appeal to a jury. He strongly objected to imprisonment being put into the clause at all, or, at any rate, so much as three months, and especially to its being awarded, if they were to interpret the administration of the law by the terms of the reply which the Secretary to the Treasury gave to the hon. Member for South Leicestershire. At the present moment, it was quite possible for the Government to do away with imprisonment for indefinite offences. He disapproved, also, of the system of appointing magistrates in Ireland, though he wished to convey no imputation against the great majority of that body generally. In many cases the magistrates were no friends to the farmers, having been entirely selected from one class of society. As the Bill stood, he did not so much object to the clause as to the indefinite term in which offences were stated by the Secretary to the Treasury. If the hon. Baronet would let them know exactly what he was awarding imprisonment for, he would be disposed to agree to it. He should support the hon. Member for Cavan; and if his Amendment were not accepted, he would himself endeavour to bring up words to give effect to it.

Mr. FRENCH said, that the Amendment really meant imprisonment for the poor man and fines for the rich man. A rich man probably would not care for a fine; but a poor man would have no option but to go to prison if he were fined £50.

Mr. BIGGAR said, in looking over the clause, it seemed to him to be perfectly preposterous. He had understood that the punishment of three months' imprisonment was for a second offence; but it seemed, under Clause 55, that a man was liable to the penalty without the magistrate having any discretion to fine at all, and for offences, too, which seemed to him to be of the most trivial nature. There were certain subsections in the Bill that covered very serious offences—offences so serious that in many cases they would amount to forgery. The 3rd sub-section provided for the offence of using an instrument which purported to be a licence, and which was not really so. Of course, in that case, a man would be liable to a very severe punishment; but he believed, at the same time, that, without that Act at all, a person who used a document which was evidently forged would be liable to very severe punishment under other existing Acts. But in the 1st subsection there were three specific offences provided for—namely, for doing a thing which was not permitted by Order in Council, or by the local authority, or by the Act. There were three things for which the unfortunate man was liable without the option of showing that he had not seen a notice; and he was supposed to know what was in the Act of Parliament, what was in the Order of the Privy Council, and what was in the local regulations. Now, he thought it was preposterous to say that the magistrate should be called upon to imprison a person for such a matter as that. To take the case of a licence being required to move cattle along a road in a district where cattle disease was supposed to exist; in such a case, he thought, where a man had failed to comply with the regulations of the Privy Council, the magistrate should not have the power to send him to prison unless there were shown to be very bad circumstances attending the case. The 2nd sub-section was almost as bad. It provided a penalty in the case of a person neglecting to renew a licence. Now, it was quite possible that the licence might only have expired one day, and it was quite possible that it might not clearly state on what day it should be renewed. Supposing the licence was only for 14 days, and the man by some mistake allowed it to run over a day, the result would be that he would be hauled before a magistrate and sent to prison. Well, the 3rd sub-section amounted to forgery, and he thought it was legitimate enough to punish a man severely for that. But to send a man to gaol for what was really a trivial offence seemed to him to be rather hard. There was one provision in particular which made it penal to make a statement which was false in any particular, unless it could be shown that a person did it in ignorance. It was true that the mistake might involve something material, but that might not arise from wilful falsehood. Such a case would be if a man obtained, or endeavoured to obtain, compensation under a false pretence; and unless he could show that he did so unknowingly, he would be liable to imprisonment. That rendered the case particularly hard, for every hon. Member knew that it was a difficult thing to prove a negative; and it depended entirely upon the extent and nature of the suppression of the truth, whether or not a man should be punished; because everyone must know that in making a statement he could not recollect all the matters that ought to be stated. There was another case he might mention, which was claiming compensation under a false pretext. Now, he would show that that was perfectly unreasonable; because, according to the evidence which had been given before the Committee, there were two sorts of lung disease—namely, pleuro-pneumonia and simple inflammation of the lungs, and they resembled each other so closely that it was difficult to distinguish them one from the other. Well, according to the proposed law, a man might claim compensation for beasts slaughtered on the supposition that they were suffering from pleuro-pneumonia; and should a veterinary surgeon swear that the animal died, not from pleuro-pneumonia, but from inflammation of the lungs, the man making the claim would be liable to be sent to prison, unless he could prove his innocence, which would be a very difficult matter. Sub-section 11 seemed to him to be reasonable enough, because it was an enactment against digging up animals that had been buried; but that was a thing which might be easily avoided. In all the cases he had cited it was assumed that everybody must know every order of the local authority, of the Privy Council, or the Act of Parliament; and, unless a person exercised a constant supervision over all those things, he was liable to these severe penalties, and, at the same time, it was not possible to fine him, because the magistrate had no option in the matter; and he, therefore, hoped that the Committee would make the alteration in the clause that he suggested.

MR. NEWDEGATE trusted that Her Majesty's Government would adopt the principle of the Amendment of the hon. Member for South Leicestershire. He was authorized by the agriculturists and magistrates of his own county to state that the difficulty which they had for years encountered arose from the fraudulent practices of a certain set of jobbers, and that those practices were not to be corrected by any fines that might be imposed. He had at one time heard it proposed that no man should be authorized or permitted to act as a dealer without a licence obtained from the local authorities; but it was found that that would have interfered most seriously with the trade. He had received strong representations from the most experienced magistrates in his own county urging this — that the profits that these men contrived to make by obtaining cattle at a very low price that had been associated with diseased cattle were so great that no fine would stop the offence—at least, no fine that the House would think of imposing, and his neighbours had come with great reluctance to the conclusion that nothing but imprisonment at the discretion of the Court, after the first or second conviction, could possibly put a stop to the mischief. He believed that nothing had contributed so much to the spread of disease as that habit of a certain set of unprincipled dealers who went about, being perfectly willing and ready to give a certain price for cattle that had been associated with diseased animals. He was convinced that the principle of the Amendment proposed by the hon. Member for South Leicestershire was essential to the working of the Act.

MR. BIGGAR said, that the hon. Member for North Warwickshire seemed to be under a misapprehension that the clause provided for imprisonment after the first or second conviction. The clause proposed unconditionally to inflict imprisonment for the first offence, so that the hon. Member was mistaken in his view. The hon. Gentleman had spoken rather hardly of cattle dealers. Now, he did not think that charge was thoroughly justified, because it would not pay cattle dealers to sell diseased cattle as a rule. They wanted cattle that they could go from place to place with, and show anywhere. He believed that the dealers who brought over Irish cattle did business with the same farmers year after year. But still the fact remained that the occasional removal of cattle without a licence, or making an untenable claim for compensation, would render a party liable to imprisonment. He really did not see how certain persons could be safe under the Bill. They were liable to imprisonment if they went too far; and they were liable if they did not go far enough; so that the position seemed to be a thoroughly unpleasant one for them. He should be disposed to divide upon the Amendment.

DR. LUSH thought there was something in the nature of a family quarrel about the matter. The Irish Members had not made up their minds to vote *en bloc* upon it, and so they had come to words. Living in the West of England, and being desirous that the cattle there should be protected against disease from Ireland, he regretted very much that the hon. Member for South Leicestershire had withdrawn his Amendment; but as he thought it only right that Irish cattle dealers should be compelled to keep their animals in proper order, he should vote for the Amendment of the hon. Member for Cavan.

MAJOR NOLAN said, the Irish Members had been taunted with not agreeing. Now, what had they seen? They had seen the English county Members disagreeing with the borough Members, who sat on the same benches, with regard to that very Bill. The Irish Members were not differing about the Bill, but about something which was proposed to be put into the Bill, and they were taunted with that difference. However, he thought, the hon. Member for Salisbury (Dr. Lush) was quite right in the course he was going to take, for he did not think that very severe penalties for an unknown offence would tend to make the Act popular in Ireland.

MR. M'CARTHY DOWNING thought if the hon. Member for Salisbury (Dr. Lush) had read the evidence given before the Committee, he would not have made the accusation of Irish cattle bringing disease into England. It would be much more correct to say that disease had been imported into Ireland from England, than to England from Ireland; and he had heard a statement made by a noble Lord in the other House to that effect. He should certainly support the hon. Member for Cavan, because he believed there was no occasion for imposing, or giving the magistrates power to impose, any imprisonment with hard labour; because under the existing law where a penalty was imposed and was not paid, there was power given to the magistrates to impose a punishment to be measured by the amount of the fine. That was to say, where a fine of £5 was imposed and was not paid, there was power given to inflict a corresponding term of imprisonment. At present, they were going to impose a term of imprisonment of three months for an offence which, under the existing law, a man might commit without knowing it.

Sir JOSEPH M'KENNA really hoped there would be time for the hon. Baronet in charge of the Bill to consider the engagement he had entered into with Ireland, and the pains and penalties that were to be inflicted in connection with the working of the law. There were a great many gentlemen who had held the Bill in no very great favour, and amongst them was himself. But he had always acted with very great forbearance up to that time. He, however, should think that any attempt to heighten the character of the class of offences, in order to cultivate the good-will of the hon. Member for South Norfolk (Mr. Clare Read), would be a very great mistake indeed. He should certainly support the Amendment.

Mr. BIGGAR thought it was all very well for hon. Gentlemen who were going to make a penal clause to be in such a hurry about it; but he thought if they were the parties who were going to be imprisoned they would not be so hasty. They had heard from the hon. Member for North Warwickshire his ideas about the rascality of the cattle dealers.

Mr. NEWDEGATE begged the hon. Member's pardon. What he stated was that there were a certain set of men who were perfectly well known, and who practically defied the authority of the trustees, and that they were able to do so by means of the large profits they made.

Mr. BIGGAR said, that the correction of the hon. Member did not materially alter what was said. He should be disposed to doubt very much whether those persons whom the hon. Member had spoken of as having broken the law, had boasted of their having done so to the hon. Member himself, or whether he had had it by hearsay. He knew the hon. Member would not do anything that he did not think was perfectly right; but, at the same time, he was afraid the hon. Gentleman had prejudices on certain subjects, and that if an unfortunate cattle dealer from England or Ireland were brought before him in his magisterial capacity for having acted contrary to the provisions of the Bill, he would be likely to receive very severe punishment. The penalty which the clause imposed was, in reality, a very serious one. If a man was provided with a copy of the Act and read it carefully, he might, without being in the slightest degree aware that he was doing anything wrong, commit an offence for which he would be liable to three months' imprisonment. That would be the case, even although he had merely infringed the order of some local authority.

The CHAIRMAN reminded the hon. Gentleman that his observations referred not to the clause before the Committee, but to another which had been already agreed to.

Mr. BIGGAR said, he was very sorry if, in the observations which he thought it to be his duty to make, he was out of Order; but in referring to the Orders in Council, and the regulations by the local authorities, which might be different in different districts, he was, he apprehended, confining himself to the Question which was before the Committee.

The CHAIRMAN pointed out that the first paragraph to which the hon. Member had alluded, relating to the infringement of the Act, was contained in Clause 54, and had just been agreed to.

Major NOLAN said, the whole discussion had arisen because the hon. Member for South Leicestershire (Mr. Pell) had contended that words should be introduced into the clause before the

Committee applying the penalties which were mentioned in Clause 54, and making a second offence punishable by imprisonment.

THE CHAIRMAN said, the hon. Member for Cavan (Mr. Biggar) was not in Order in basing his observations on an Amendment which had been withdrawn. The Question before the Committee was the Amendment proposed by the hon. Member for Cavan himself, which had no reference to Clause 54.

MR. BIGGAR was afraid the Chairman did not thoroughly understand the drift of his observations. The local authority might make rules and regulations which, as he had said, might vary in different districts.

THE CHANCELLOR OF THE EXCHEQUER said, the Chairman had ruled that the hon. Gentleman was not in Order in pursuing the line of argument which he was endeavouring to press upon the Committee. The hon. Gentleman was bound to respect that ruling.

MR. BIGGAR was very sorry if he had said anything which was out of Order; but doubted whether the wording of the clause did not justify the remarks which he had made. If a local authority were to frame certain regulations, a person making himself acquainted with those regulations in one district might go to another in which they were totally different, and might commit an infringement of the law without being in the slightest degree aware of it. In fact, what was illegal in one district or county might be strictly in accordance with the law in another. It was unreasonable, therefore, he maintained, to impose such a penalty as three months' imprisonment in such circumstances. The penalty was, in his opinion, much too severe; and he would, therefore, feel it to be his duty to go to a division on his Amendment.

MR. CHAMBERLAIN regretted to be obliged to differ on such a question as that before the Committee from hon. Members who represented large constituencies. The evidence, however, which had been given before the Committee upstairs on the point at issue was very strong; and he felt bound to support the Government in their determination that a considerable penalty should be inflicted in those cases in which the law was broken. An Irish witness—Professor Baldwin—who was examined before the Committee of the House of Lords, stated, in answer to the Duke of Somerset and others, that disease in Ireland was spread about the country in consequence of the proceedings of small cattle jobbers. The expectation of making a good profit, induced, he said, those jobbers, who were very numerous in that country, to violate the law. The only way of meeting the difficulty, he added, without interfering with the ordinary course of trade, would be to pass an Order declaring that no person should sell, at any fair in Ireland, cattle of which he was not the *bonâ fide* owner for a specified time. In reply to other questions, Professor Baldwin went on to say that the difficulty was a very great and serious one; and he gave, from his own experience, several cases in which jobbers had attempted to defeat the law. He further suggested that it would be desirable, if possible, to stamp out altogether the danger which was created in that way. For his own part, he was convinced that the most stringent restrictions were necessary, if the disease were to be stamped out in Ireland. The hon. Member for Cork (Mr. M'Carthy Downing) seemed to be of opinion that there was more disease imported from England to Ireland than from Ireland to England, and he had no wish to strike a balance between the two countries in that respect. But the evidence given before the Committee showed conclusively than an immense amount of disease, and especially of foot-and-mouth disease, came from Ireland. It was, therefore, the interest of English Members that the Privy Council should have the power of enforcing the carrying out of the law in a *bonâ fide* manner; and he would, entertaining those views, support the Government in resisting the Amendment.

SIR JOSEPH M'KENNA regretted to hear the remarks which had fallen from the hon. Gentleman who had just spoken, opposed as they were to the experience of those who were best acquainted with the farming and pastoral population of Ireland. He probably had a more extensive knowledge of the small jobbers to whom the hon. Gentleman referred than almost any other Member of that House; and he must say that a more honest or meritorious class of persons did not, in his opinion, exist. [*A laugh.*] He was not in the slightest degree afraid of the sneers of those hon. Gentlemen who thought proper to laugh, because they could not understand that which he was talking about as well as he did. The cattle jobbers in Ireland pursued their industry in a perfectly legitimate and worthy manner; and, so far as he was concerned, he had no objection that they should be punished if they committed an infraction of the law. He maintained, however, that the law should not be framed in a spirit of severity, but rather in the spirit of warning and caution, so as to prevent any ordinary or reasonable man from taking a course which, although he might deem it not wrong in itself, was opposed to the law of the land. As to the degree of obligation which Ireland was under to England for the foot-and-mouth disease, or *vice versâ,* he would only say that the feeling on the other side of the Channel was that the balance was in favour of Ireland—that was to say, that it received from England more of the disease than it communicated to it. But, be that as it might, what he wished chiefly to point out was that the law would be all the more likely to be effectual, if only moderate penalties were imposed under its operation. The magistrates would, he thought, shrink from imposing penalties which they regarded as being too severe. It was, in his opinion, wrong in principle to place comparatively venial offences in the category of more serious crimes; and he should, therefore, support the Amendment of the hon. Member for Cavan.

Mr. COGAN wished to bring back the Committee for a moment to the real question before them. That question had nothing to do with the comparative prevalence of disease in England or Ireland, or any exceptional mode of treatment which had been adopted in one country or the other. The introduction of such questions might lead to controversy, which it appeared to him would be ill-timed, and which might prevent the Committee from arriving at a sound and impartial decision. The real point for their consideration was whether the offences enumerated in the Bill were of so grave a nature, that the magistrates should be empowered to inflict three months' imprisonment with hard labour as the penalty for their commission? Now, in his opinion, the Committee would not consent to view those offences in that light; and if the majority acted upon a different view of the matter, the result would, he was afraid, be to render the Bill so unpopular as to make it impossible that its provisions could be carried into effect; whereas the object of every hon. Member ought to be to make it so popular in its action, and so reasonable in its provisions, that public opinion would lend to it its sanction. The very 1st sub-section of the clause under discussion set forth that if a man did anything for which a licence was required under the Act or the regulations of a local authority without having obtained such licence, he might, at the option of the magistrates, be sentenced to three months' imprisonment, with hard labour. Now, could it, he would ask, fairly be supposed that all the small farmers of the country could make themselves acquainted with the provisions of the law, the Orders in Council, and the regulations of the local authorities? He did not wish to weary the Committee by going through the various sub-sections; but several of them related to offences of so trivial a nature that he could not help thinking that the punishments imposed would be entirely disproportionate to those offences. He would take, for instance, the case in which the use of any vessel or vehicle connected with an infected animal was provided for by Order in Council under the Act, and would ask with confidence, whether it was fair that any breach of the law in that respect should be made punishable with three months' imprisonment and hard labour at the option of a Court of Summary Jurisdiction? He, for one, could not for a moment consent to the infliction of so severe a punishment for such an offence. The pecuniary punishment inflicted under a previous section of the Bill would, he believed, be quite sufficient to meet the exigencies of the case. If not, that pecuniary penalty might be increased. Holding these opinions, he should certainly vote in favour of the Amendment of the hon. Member for Cavan.

Sir HENRY SELWIN-IBBETSON had no desire to take part in a discussion which was already sufficiently protracted. He felt it to be his duty, however, to point out that the sub-section, to which so much objection was urged, had been actually in force as the law of the land for many years. The 103rd section of the existing Act contained exactly the same penalties as those which were repeated in the 54th clause of the present Bill, and the 104th section gave the magistrates the power of summary jurisdiction, and the authority to inflict three months' imprisonment for a violation of the law, exactly in the same way that was now proposed. It was not, therefore, open to hon. Members to speak of the idea as if it were a sudden one, which it was sought to embody in our legislation for the first time. If they would study the subject more carefully, they would find that the clauses under discussion were, for the most part, a consolidation of the existing law, simply repeating clauses which, he might observe, had never been carried out in the way in which it seemed to be imagined the present Bill would be carried into effect.

MAJOR NOLAN begged the Committee to compare the speech of the Secretary to the Treasury with that of the hon. Member for North Warwickshire (Mr. Newdegate), who welcomed the present Bill as greatly increasing the penalties which would be imposed for any infraction of the law. Was it, he would ask, wise to award three months' imprisonment in the case of some unknown catalogue of crimes, which the Secretary to the Treasury had stated he would name on the Report? He would suggest that the clause should be postponed until the Committee were made aware what those new offences were to be. Let them not sanction the three months' imprisonment first, and then come to a decision with regard to the offences for which that punishment should be inflicted after.

MR. W. E. FORSTER did not think it would be quite reasonable to press for the postponement of the clause after the discussion which had taken place, especially as by agreeing to it the Committee would not be pledging itself to pass any new clause which might be brought up by the Government to meet the suggestion which had been thrown out by the hon. Member for South Leicestershire (Mr. Pell). The hon. Baronet the Secretary to the Treasury was, he thought, perfectly correct in saying that the clause merely repeated the law as it at present stood; and, although it might savour a little of severity to make the obtaining of a fraudulent licence the subject of so rigorous a punishment as three months' imprisonment with hard labour, yet it must be borne in mind that it would be utterly impossible to carry the law into effect unless there were strong provisions directed against its infringement. The offences against which the clause was directed were, in his opinion, real and serious offences; and, entertaining that view, he could not, he was sorry to say, vote for the Amendment of the hon. Member for Cavan.

MR. M'CARTHY DOWNING said, that every hon. Member concurred in the view that a penalty should be imposed for a violation of the law. What the supporters of the Amendment contended for was that a punishment should not be inflicted which there was no power to inflict under the law as it stood. He would suggest that a Proviso should be introduced at the end of the section, to the effect that imprisonment under its operation should not exceed that imposed by any Act of Parliament now in force, in default of payment to a certain amount. Such a Proviso would, he thought, fairly meet the justice of the case.

SIR HENRY SELWIN-IBBETSON said, that if the Committee were to adopt the suggestion of the hon. Gentleman, it would be making the law infinitely more lax than it was at present; for the law, as it now stood, gave power to the magistrates, in the very cases which the Committee were engaged in discussing, to inflict the punishment of imprisonment for three months.

MR. PARNELL felt sure the hon. Baronet did not wish to mislead the Committee. Such, however, would be the effect of the observations which had just fallen from him, if they were allowed to pass uncontradicted. The real truth of the matter was that the present Bill was the first by which it was sought to extend the provisions of the English Cattle Acts to Ireland. It was the first attempt to unite the two countries in the same measure. If the hon. Baronet would look at the Acts of 1870 and 1876, which related to Ireland, he would find that they did not empower the Bench of magistrates, or any other Court with jurisdiction, summary or otherwise, to inflict the penalty of imprisonment for a breach of the law, although fines might, and had been, imposed.

Sir HENRY SELWIN-IBBETSON was sorry to detain the Committee, but after the assertion which had been made by the hon. Gentleman who had just sat down, he felt it necessary to state that under the 2nd clause of the Cattle Diseases (Ireland) Act of 1870, it was provided that for a breach of the law the magistrates might inflict the punishment of imprisonment for three months, with or without hard labour.

Mr. PARNELL said, the Act of 1870 had reference to a particular offence; and that the Act of 1876, which enlarged the number of offences with regard to cattle, made no mention whatever of imprisonment, and gave no power to any magistrate to inflict such a punishment.

Sir JOSEPH M'KENNA thought the answer of the Secretary to the Treasury would be conclusive, if the offences specified under the Act of 1870 were the same as those with which the Committee were now asked to deal.

Mr. BIGGAR said, he desired to point out that the evidence which was given before the Select Committee by Professor Baldwin, to whom reference had been made, was very different from that of other Irish witnesses. He did not allege, for one moment, that that gentleman intentionally said anything which he did not believe to be correct. But it was to be remembered that Professor Baldwin was a Government official. He was an Inspector of Irish agricultural schools; but it was notorious that the schools under his superintendence had been very unsuccessful. [" Order ! "]

The CHAIRMAN thought the hon. Member was travelling somewhat beyond the point immediately before the Committee.

Mr. BIGGAR said, his object was to indicate the value of Professor Baldwin's evidence.

The CHAIRMAN said, it was not a course which Parliament had ever sanctioned, that the discussion of an Amendment on a Bill should be made the means of raising a question as to the merits or qualifications of a gentleman who was not a Member of the House, and whose conduct was not in any way before it.

Sir JOSEPH M'KENNA said, that whatever might be the value of the evidence of Professor Baldwin, he believed there was not in Ireland a more honourable, efficient, or courteous officer than that gentleman. [" Order ! "]

The CHAIRMAN said, he must again point out that the conduct or qualifications of Professor Baldwin did not constitute the subject before the Committee.

Mr. M'CARTHY DOWNING said, that, so far as he was concerned, he felt he had been fully answered by the Secretary to the Treasury. He was not aware when he spoke that there were the existing Acts of Parliament to which the hon. Baronet had referred.

Mr. MITCHELL HENRY said, it was very well for the hon. Member for Cork county (Mr. M'Carthy Downing) to speak as he had done; but the fact was that this Bill extended to, and included, offences other than those covered by previous Statutes, and placed in the hands of a Petty Sessions Court in Ireland the power of putting a farmer in prison for three months. If the object in view was to punish offences against the law, would not a fine of £50, as proposed by the hon. Member for Cavan (Mr. Biggar), be quite a sufficient penalty to impose for what might be really an unintentional violation of the Statute? It was impossible that any attempts could be made to inflict imprisonment for what might be unwitting offences without strong protest and opposition on the part of those who knew what confinement in gaol now really meant. Until the Government assumed control of the prisons, the magistrates knew the discipline to which those who were sent there were about to be subjected. [Admiral Sir William Edmonstone: No.] Who said " No ? "—the hon. and gallant Member opposite ? He asked the Chairman to call to Order the hon. and gallant Admiral, who interrupted hon. Members on every occasion he could.

Admiral Sir WILLIAM EDMONSTONE said, he was always desirous of doing what he could to remove erroneous impressions.

The CHAIRMAN said, it was obvious that any contradiction by one hon. Member of a statement by another hon. Member must be made in a Parliamentary manner.

Mr. MITCHELL HENRY said, he did not complain of anything un-Parliamentary. This was a question as to the liberty of the subject, and was not, and could not, be met by cries of " No ! "

from hon. Members on the other side of the House. If those hon. Members had taken the pains and the trouble to investigate the matter which he had done, probably they would hold different opinions from those which they appeared to entertain. Imprisonment, he repeated emphatically, was very different now from what it used to be. In former times, the county magistrates sent a man to prison—knowing exactly where that man was going, knowing the description of cell in which he would be confined, and knowing the labour which would be exacted from him. Now, however, there was no such thing; and the cruelties which were inflicted in our gaols—— [" Order! "]

COLONEL MURE appealed to the Chairman as to whether the hon. Member for Galway was speaking to the subject before the Committee? It appeared to him that the Committee were engaged upon a Cattle Bill, and not upon a Bill relating to Prisons.

THE CHAIRMAN said, the immediate subject-matter before the Committee was an Amendment by the hon. Member for Cavan (Mr. Biggar) relative to the character of the penalty which ought to be inflicted—fine or imprisonment—and, that being so, he could not say that reference to confinement in gaol, or to the hardships of imprisonment, was out of Order.

MR. MITCHELL HENRY said, he knew he was in Order; but, nevertheless, he was glad to hear the ruling of the Chairman. He hoped the hon. and gallant Gentleman who had interrupted him—and who did not seem to care whether his fellow-subjects were in prison or not—would now see that this was just one of those occasions on which the difference between pecuniary penalties and personal imprisonment could be legitimately discussed in the House of Commons. No interruption, or attempt at interruption, would prevent him from doing what he believed to be his duty; and he would never consent to power being given to a Petty Sessions Court in Ireland to send a farmer to prison for three months, instead of imposing upon him a money fine. The man might occupy a good position, and might be most respectable in character; yet, for what might be a trivial and unintentional offence, he was to be liable to imprisonment for a quarter of a year! He hoped that every Irish Member would stand up against such a proposal. Certainly, he should resist it to the utmost of his power.

MR. D. DAVIES said, some hon. Members seemed to have lost sight of the fact that this Bill applied to England and Wales as much and as well as to Ireland. Englishmen and Welshmen were nearly always caught when they transgressed the law; but it was very difficult to bring an Irishman to justice. The law as to imprisonment, therefore, and the imprisonment itself, should be severe and stringent, so that an Irishman should get it well when he was caught.

MR. FRENCH said, that while he would not be able to vote with the hon. Member for Cavan (Mr. Biggar), if that hon. Gentleman went to a division, he thought the proposal of the Bill as to the three months' imprisonment rather excessive. In his opinion, one month would be amply sufficient to vindicate the law.

MR. BIGGAR said, it appeared to him that the objections which had been taken to his proposal were in the nature of very small arguments. Reverting, for a moment, to the evidence of Professor Baldwin, he had not the slightest idea of framing any charge against that gentleman. He believed the Professor was a thoroughly estimable man. At the same time, he early formed an opinion upon his evidence, and he had never yet seen any cause to alter that opinion, which was, that it was the testimony of one who was prejudiced on the subject. As to the contention of the Secretary to the Treasury that because, under certain Acts formerly placed upon the Statute Book, penalties could be imposed, those penalties should, therefore, be renewed, he desired to point out to the hon. Baronet that they were now making a new law, and that this was the proper time to remedy any defects in measures already existing. He could not see why a bad law should be re-enacted simply because it was a law.

MR. M'CARTHY DOWNING hoped that the hon. Member for Cavan would not divide the Committee, but would withdraw his Amendment.

MR. BIGGAR said, he would take the advice of his hon. Friend for once, and withdraw the Amendment.

Amendment, by leave, *withdrawn*.

Mr. PARNELL said, that having been very much impressed with the appeal of the junior Member for Kildare (Mr. Cogan), in reference to the sub-sections of the clause now before the Committee, he had asked his hon. Friend the Member for Cavan (Mr. Biggar)—and had finally succeeded, with the assistance of the hon. Member for Cork County (Mr. M'Carthy Downing) in inducing him—to withdraw his Amendment, in order that there might be an opportunity of moving the omission of some of those sub-sections. The matter having already been fully discussed, he moved the omission of the 1st sub-section of the clause, which provided that a person should be guilty of an offence if he did anything for which a licence was requisite without having obtained that licence.

Amendment proposed, in page 28, line 11, to leave out after the word "Act," to the word "licence," in line 14, inclusive.—(*Mr. Parnell.*)

Question proposed, "That the words proposed to be left out stand part of the Clause."

Sir HENRY SELWIN-IBBETSON said, the sub-section objected to was simply a re-enactment of the existing law. That law was at this moment in force, and the words in the existing Statute and the present Bill were identical.

Mr. BIGGAR did not think the Act which was now in operation gave power to inflict three months' imprisonment for an infringement of the orders of local authorities.

Mr. MITCHELL HENRY asked the Secretary to the Treasury, whether he really meant to say—whether he could be serious in saying—that if a man violated some regulation, however minute, of a local authority, he was to be liable to three months' incarceration in gaol? With reference to the remarks of the hon. Gentleman near him (Mr. D. Davies), he desired to remind him that Ireland was a totally different country from England and Wales. The hon. Gentleman had spoken of failures of justice in Ireland; but the fact was that there were more grotesque failures of justice in Wales than anywhere else. In Ireland, education had been neglected; distrust between class and class, and especially between the small farmers and the big graziers, who were particularly anxious that this Bill should pass, was greater than in England and Wales; and it seemed to him perfectly monstrous that the measure should propose to inflict the penalty to which he had already objected, and to which he should continue to object.

Sir JOSEPH M'KENNA doubted whether there was any such penalty in the present Act for contravening any of the rules and regulations of the local authority. But he appealed to the Secretary to the Treasury on the point.

Sir HENRY SELWIN-IBBETSON said, the intention of the present Act was to secure uniformity of action in connection with all the instructions issued by the Privy Council for the guidance of the local authorities. That uniformity was not secured under the existing Statute; but it was manifestly desirable.

Sir JOSEPH M'KENNA said, the hon. Baronet had not referred to the penalty contained in the clause now before the Committee. That clause set up a severe punishment for the most innocent and trivial breach of the law.

Dr. BRADY said, he should be sorry if the Bill were not to pass this Session. At the same time, he felt great objection to the provision under which it would be possible to visit an infringement of the law with three months' imprisonment. In such a case as that, the sympathy of the people would be with the offender, instead of being enlisted in support of the Statute. In Ireland, the effect of carrying out the proposal of the Government could not fail to be most injurious, and would ultimately tend to deprive the law of the power which he desired to see it possess.

Mr. P. MARTIN said, the penalty proposed was much too severe. In considering the clause the Committee should bear in mind it violated wise and well-established principles of our criminal law. The accused became bound to prove his innocence, and a guilty or criminal intent need not be established. He, therefore, objected to the tremendous responsibility which an ignorant farmer might incur in the event of doing —it might be in the most innocent way—anything for which a licence was declared to be requisite, without having obtained that licence, and in the event of his contravening in the slightest particular the regulations of the local authority. The clause would be attended, in its operation, with very serious consequences; for, under it, a respectable farmer might be immured in a county prison, and his character thereby sullied and degraded. He was very much surprised, indeed, that any Members on the Liberal side of the House should support this clause.

Mr. CHAMBERLAIN said, it would be recollected that when he opposed the Amendment proposed by the hon. Member for Cavan (Mr. Biggar), he stated that he gave his support to the general principle of this clause. At the same time, he must point out to the Committee that there was an enormous difference between the various offences set forth in the sub-sections of the measure. A small penalty should suffice in some cases; but there were other infringements of the Statute which would be obviously considerable offences. He wished to point out that the words of the proposed sub-section were inconsistent with Sub-section 3, which carefully provided that a person accused might be allowed to show that he had acted in error in contravening the law. By the sub-section under discussion, persons accused would have no such power, and were to be rendered liable to three months' imprisonment, with hard labour, for offences into the commission of which a farmer might most easily and naturally fall.

MR. EVANS thought no great injustice was likely to occur in consequence of the operation of the sub-section. Hon. Gentlemen always seemed to forget that the punishment of three months' imprisonment was the maximum penalty; and he did not think that magistrates were in the habit of inflicting the maximum amount of punishment, except in aggravated cases. A large discretion was given under the English law in cases of this kind; and, as far as he knew, it was, as a rule, wisely exercised.

MR. CLARE READ suggested, as a compromise, that the offences constituted by the Act should be grouped under two heads—one to be punished by fine, and the other by imprisonment; and, with regard to the latter, he thought a maximum of a month would be sufficient.

MR. PEASE supported this suggestion. There were some offences for which three months' imprisonment would not be too heavy a punishment; but it would be too harsh to render an ignorant drover liable to such a punishment for an offence committed by sheer inadvertence.

MAJOR NOLAN hoped the clause would be postponed.

SIR HENRY SELWIN-IBBETSON said, he was quite prepared to consider the suggestion of the hon. Member for South Norfolk (Mr. Clare Read), before the Report, with a view to grouping the various offences; but he warned the Committee that if such grouping was effected, it would be a reversal of the principle contained in an Act which had worked satisfactorily for a considerable time, and had given no occasion for a single complaint of harshness. The suggestion which had been made would have the effect of slackening the law at a time when the general opinion seemed to be that it ought to be made more severe, for the purpose of checking the spread of disease.

MR. P. MARTIN said, that, as far as he knew, there had been no prosecutions at all under the Act of 1870 against farmers or dealers in Ireland for offences constituted under the clause referred to in that Act. But, even if there had, it was not a sufficient answer to the arguments against the clause to say the clause under discussion was similar in its terms. Was the Committee to be told—this being a measure for the consolidation of previous Statutes—that because in the hurry, which often attended legislation, a bad clause crept into a previous Act, it should be perpetuated in subsequent measures. He ventured to say that there were not many hon. Members of the House who even knew until very recently of the provisions of the Act of 1870; yet it was proposed to punish ignorant farmers, who erred from want of knowledge of matters shown to have been hitherto unknown to many Members of the Legislature.

MR. MITCHELL HENRY said, the proposal of the Government reversed the principle of the law, for he knew of no Act of Parliament under which a man could be punished for an offence until it was proved that he was guilty. Now they assumed that a man was guilty and then required him to show that he was innocent.

Mr. PARNELL said, he could not acquiesce in the so-called compromise, which had been accepted by the hon. Baronet the Secretary to the Treasury, who had promised to consider the matter between then and the Report; because, as he understood the hon. Baronet, he did not propose so to group the offences as that there should be one class which could not, under any circumstances, be punished with imprisonment.

Mr. SEELY said, he should vote against this clause, and partly on personal grounds. He happened to be the owner of a few cows; and if the subsection was passed in its present form, he might be subjected to three months' imprisonment on account of the *laches* of the person to whom he intrusted the care and management of the animals. It had been said that the maximum punishment would only be inflicted in rare and bad cases; but the power to inflict it would remain, and he did not at all like the idea of being left to the mercy of the magistrates. He thought the justice of every case in which offences were not committed knowingly and wilfully would be met by a fine.

Mr. MURPHY thought it important to make a distinction between offences committed knowingly and wilfully, and those which were the result of inadvertence or ignorance.

Mr. J. W. BARCLAY said, he thought the clause as it stood was very ambiguous, and asked for information as to whether, in the case of his own cattle, it would be he or his herdsman who would be imprisoned in case of an infringement of the Act? He thought the simplest course would be to postpone the clause, and refer it back to the draftsman, who could deal with it in the light of the discussion which had taken place.

Mr. CHAPLIN pointed out that the law had been in force since 1869.

Mr. SEELY said, it was no argument to say, that because for certain offences persons had been liable to imprisonment for any number of years, such liability should continue, unless it was in the interest of the public that this should be done.

Sir JOSEPH M'KENNA said, he did not object to be under the control of the Privy Council—at the mercy of that body, if any hon. Member preferred the phrase—but he most strongly objected to be under the control, and at the mercy of the local magistracy.

Colonel KINGSCOTE said, he objected strongly to this waste of time, and hoped the Government would neither postpone the clause, nor give way regarding it; for Parliament must guard carefully against unscrupulous persons who infringed the law, and of whom there were a good many in this country.

Mr. GORST suggested, that the subsection should be so altered as only to subject to imprisonment persons whose offences were wilfully and maliciously committed.

Mr. MITCHELL HENRY again expressed a hope that the Government would give way, and urged, as an additional reason, that if a harsh law was allowed to pass, it would be harshly administered towards poor people in Ireland.

Sir HENRY SELWIN-IBBETSON repeated, that he was quite willing to re-consider the point, and, if possible, on the Report, to bring up a clause which would have the effect of dividing the offences into groups.

Sir JOSEPH M'KENNA suggested to his hon. Friend the Member for Meath (Mr. Parnell) that he should withdraw his Amendment, and that the clause should be postponed.

The CHANCELLOR of the EXCHEQUER said, he could not consent to postpone the clause. All he could do—and his hon. Friend the Secretary to the Treasury had stated the same thing—was to consider whether some Amendment could not be introduced on the Report.

Mr. PARNELL said, he was not satisfied with what had been said by the hon. Baronet the Secretary to the Treasury, who had not informed the Committee as to whether he was willing, in his grouping of the offences, to provide that one group should not in any circumstances be subject to imprisonment, but to fine alone?

Sir HENRY SELWIN-IBBETSON repeated, that he was perfectly willing to consider whether the offences could not be divided into different groups, with different punishments.

Dr. BRADY thought there were very sound grounds for objection to so much power being given to local authorities.

Mr. M'CARTHY DOWNING supported the proposal to group the offences.

Lord ELCHO said, one difficulty that struck him in regard to the matter was that the punitive clauses in the Bill were based upon somewhat similar clauses in an Act which had nothing to do with either pleuro-pneumonia or foot-and-mouth disease. He hoped that in any new clause that might be brought up, it would be provided that no one should be punished for offences committed unwittingly.

Mr. PARNELL hoped there would be no necessity for a division—a necessity which would be avoided by the Secretary to the Treasury stating that he would so divide the offences as there should be one to which the punishment of imprisonment could not apply.

Question put.

The Committee *divided:*—Ayes 229; Noes 55: Majority 174.—(Div. List, No. 229.)

Sir JOSEPH M'KENNA moved the omission of Sub-section 2. This sub-section provided for the punishment by imprisonment, instead of fine, for the use of a licence granted under the Act, should that licence be used after it had expired. The hon. Member said that if the Secretary to the Treasury only considered what would be the effect of this sub-section, as it stood, it would scarcely commend itself to the hon. Baronet as expressing an offence that ought to be punished with three months' imprisonment. A man obtained a licence from the magistrates, or local authority, which licence was to last for six weeks or a month, as the case might be. If it were for six weeks, for instance, and the man did something, apparently, in pursuance of the licence, but on the 43rd day, then that was to become a penal act under this sub-section, unless he renewed his licence in time. Did any hon. Member tell the Committee that that was a class of offence which ought to subject a respectable man to imprisonment in a common gaol for three months, with or without hard labour? Whatever might be the merits or demerits of the objections which had been raised to the 1st sub-section—and, for his part, he thought they had not been removed—nothing could be alleged in favour of the 2nd sub-section. A man did an act which the law said was questionable; it was necessary, under the peculiar provisions of this Statute, that he should obtain a licence before he did that act; he went through the formality of obtaining that licence, and failed to renew it on the precise day upon which he was required by this provision to renew his licence. It was not a question of doing anything wrong, but of what licence he required; and the simple omission to take out a fresh licence became an absolute offence, punishable by imprisonment, under this Bill. Had the Committee any right, under the circumstances, to place these penal powers to the chance exercise of the local authority, or the magistrate? That was a question which he hoped the hon. Baronet (Sir Henry Selwin-Ibbetson) would reflect upon; and he trusted that the hon. Baronet would, after consideration of the objections made, consent to strike out this sub-section from the Bill.

Dr. BRADY said, this sub-section was a very objectionable one, and required the careful attention of the Committee. He hoped the Government would see their way to strike it out, and not punish a man when acting in no intentional or wrong spirit. If a passenger on the railway travelled without a ticket, he was asked, according to the bye-laws, to pay for it, and there was an end of the matter; but, in the present case, there was no provision made with regard to a person who, by accident or inadvertence, omitted to obtain a renewal of his licence.

The CHANCELLOR of the EXCHEQUER said, he did not wish to enter into the merits of this particular sub-section, but only desired to point out to the Committee how absolutely impossible it was to make any progress with the Bill in the manner in which they were then trying to do. He was sure that hon. Gentlemen, who were experienced in the management of Committee matters in that House, must know that nothing was more difficult than to re-draw a clause in the course of discussion, and that any Amendments of this character must be made in quiet consultation with the draftsman, and afterwards laid before the House in a manner in which they might be suitably discussed. The Government had long since promised that they would be prepared to consider the points that had been raised, and would endeavour, on Report, to introduce Amendments into the clause. These points had been very clearly brought before them, and they were still disposed to consider the clause with the view of making Amendments in it. This matter had already been discussed for some hours, and if the Committee were to insist upon discussing the clause, line by line, he did not see how they were to make any progress. He would remind hon. Gentlemen that the Government were anxious to make arrangements for bringing on some important Irish Business; and while he had no desire to restrain discussion on this Bill, he must say it was rather hard that progress could not be made in a reasonable way, when this question had been fully and fairly discussed, and when the Government had promised to re-consider it, on Report. He trusted that the promise that had been given would be deemed sufficient, and that when they came to the Report the Government might be able to make a suggestion which would be acceptable to the House.

Sir CHARLES W. DILKE said, the speech of the right hon. Gentleman who had just sat down would have been a most admirable one for postponing or negativing the clause. The right hon. Gentleman asked the Committee to proceed with the clause after he had told them that it was to be materially changed. The Government had admitted that the clause was not tenable as it stood. Why, then, should the Committee be asked to carry a clause which everybody knew would not work? The right hon. Gentleman had talked about progress; but it was not making progress to put into the Bill a clause which was only inserted to be altered. Therefore, it was fairly contended, on that side of the House, that this clause ought to be postponed as it stood. It was open to them to vote against the sub-section; and, if need be, afterwards to oppose the whole clause.

Mr. NEWDEGATE expressed the opinion that the Amendment was designed for obstruction.

Mr. JACOB BRIGHT said, it appeared to him that the hon. Member opposite (Mr. Newdegate) scarcely understood the character of the opposition to the clause, and the same remark might apply also to the Chancellor of the Exchequer. He believed the opposition would cease altogether if the principle advocated from the Benches on which he sat were accepted. His complaint, and that of his hon. Friend's was that the Government had not accepted that principle. Whatever the concession the Government might make, at any rate, the right hon. Gentleman the Chancellor of the Exchequer had not expressed his readiness to agree to the suggestion of his hon. Friend's, that there should be two classes of offences—one to be punishable by fine, and the other by imprisonment. If the Government would only make that concession, he believed the opposition to the clause from that side of the House would at once cease. He could imagine no proposition more monstrous than that a man should be subject to imprisonment for three months for using a licence a day after it had ceased to be valid. It certainly would be considered monstrous, if a man were sent to prison for using a contract ticket for travelling on a railway a day or two after its term had expired.

Mr. BIGGAR said, it was true that the Chancellor of the Exchequer had properly undertaken to re-consider the clause; but the right hon. Gentleman had not promised to re-consider it in accordance with the terms suggested by the hon. Member for Meath (Mr. Parnell), which were, that there should be two classes of offences, one to be subject to fine, and the other to imprisonment. The distinction was very clear, and it was worth fighting for in discussion. The fact of a man possessing a licence was an assumption that he had made a special application to the authority that had power to grant it; and if, from any miscalculation of the number of days, or from any cause of that character, he rendered himself liable to punishment, the penalty of imprisonment, without the option of a fine, was really too severe; and the Government could not reasonably insist upon the clause being retained with that unhappy provision in it. He did not believe that such a law would be carried into effect; and certainly it was a very vicious principle to provide that an exceedingly heavy punishment should be inflicted, and afterwards not carry it out. A far more sensible course would be to make the penalty a reasonable one, and abide by it. Unless the Government agreed to make the desired distinction, he thought the continued opposition from that side of the House would be fully justified.

MR. CHAPLIN agreed with the hon. Gentleman who had last spoken, that three months' imprisonment should not be imposed for secondary offences; and he suggested that, after the Government had considered the clause, an Amendment might be moved on Report, to meet the opinion of hon. Gentlemen opposite on this point. As the Government had undertaken to consider this Amendment with a view of meeting the wishes of those hon. Members, he thought they ought to accept that assurance.

MR. ANDERSON, referring to the remarks of the Chancellor of the Exchequer, that it was very difficult to amend this clause, which had 12 sub-sections in it, said, if it was difficult now in Committee, it would be tenfold more so on Report. Therefore, he held that the argument of the right hon. Gentleman was one for postponing the clause in Committee, and not for deferring its consideration until Report. Because of the difficulty of discussing these 12 sub-sections on Report, it was necessary that the Government should give the Committee a very definite understanding on the subject, before the question was allowed to stand over. By declining to give way in the first instance, the Government had caused this long discussion. He hoped that now they would give the Committee the clear and definite assurance desired.

MR. MITCHELL HENRY asked the Committee to consider the position in which they were placed. The hon. Member for Mid-Lincolnshire (Mr. Chaplin) had just said that he saw the unreasonableness of subjecting a person who committed a minor offence under the Bill to three months' imprisonment. Had the hon. Member risen earlier in the debate to make that statement, the Government would probably have accepted the suggestion, and told the Committee upon what lines they were inclined to amend the clause. The noble Lord the Member for Haddingtonshire (Lord Elcho), who was also a supporter of the Government—["No, no!"]—had before contended that every one of these offences should be punished by imprisonment. It was not reasonable to say to the Committee that the Government would consider this question on Report, unless they now informed the Committee how they were going to consider it. If the Government would only say—"We are of the opinion of the hon. Member for Mid-Lincolnshire (Mr. Chaplin), and we will endeavour to arrange this matter in the best way we can on Report," the opposition to the clause would cease. But what had happened that night was only a repetition of that which frequently occurred in Committee. The Government got on its high horse, and, although the postponement of the clause would be the wisest step to take under the circumstances, it said—"No, we will not postpone the clause;" but afterwards, under pressure, they promised to consider it. But that would not satisfy the Committee, who asked the Government to say in what way the clause would be considered. Then the Government replied that they would consider it on Report, in the direction of the wishes of the Committee. Why did not the Government accept this plain and simple Amendment? If they did so, the opposition would cease, and the Bill would proceed.

SIR JOSEPH M'KENNA said, he would accept the assurance of the Chancellor of the Exchequer, if the right hon. Gentleman would consent to make a distinction between the two classes of offences, by withdrawing the penalty of imprisonment from the one class. The Amendment might then be withdrawn; and he, for one, would be happy to suggest its withdrawal.

SIR HENRY SELWIN-IBBETSON reminded the Committee of the promise he had already made, on the part of the Government, that they would undertake to alter the clause on Report. The Government would be willing that a fine should be imposed for the first offence, and the punishment of imprisonment inflicted for the second knowingly committed; and that, for the graver class of offences, there should be imprisonment.

MR. DILLWYN regarded the last statement of the hon. Baronet (Sir Henry Selwin-Ibbetson) as perfectly satisfactory, because he thought it would meet the views of hon. Members on that side of the House. But, still, he wished to ask the Government, what was the use of insisting upon this clause being passed as it stood? There was no more fertile source of obstruction than pressing clauses under those circumstances. He hoped a fresh clause would be brought up on Report.

MAJOR NOLAN hoped that the Secretary to the Treasury, in drawing up the clause, would put it into better shape than the statements made on behalf of the Government. He was willing to trust to the Amendment of the hon. Member for South Leicestershire (Mr. Pell), that there should be a limitation of time after the second offence.

MR. W. E. FORSTER really hoped that the last proposition of the Secretary to the Treasury would be accepted. The discussion had shown that the Government and the House were at one as to what should be done. As the Government could not postpone the clause by the Rules of the House, he thought that when an understanding had been come to that a certain course would be taken, they might fairly leave it to the Secretary to the Treasury to take that course. He understood that the Government were prepared to treat this offence in two categories, and that they were also prepared to put several of the suggestions that had been made into Clause 54. In that clause, hon. Members interested in the matter practically got their wish; and he did not think it too much to ask that the undertaking of the Government should be accepted. It was impossible hon. Members could succeed unless the Government assented; and he thought that was all that ought to be asked. The promises they had made would really carry out the view of the House.

SIR JOSEPH M'KENNA said, he was desirous to meet the views of the Government on this matter, and it occurred to him that on the course suggested by the right hon. Gentleman (Mr. W. E. Forster), it would be well to withdraw the clause. He would accept the assurance of the Government, and he begged to withdraw the Amendment.

MR. PARNELL wished to guard himself against being understood to accept the principle of the hon. Member for South Leicestershire (Mr. Pell), which had not yet passed the Committee, but which the Government proposed to accept on the Report, as also to include some of the sub-sections of Clause 55 in Clause 54. He understood the proposition the hon. Baronet made was this—that he would include some of this subsection in Clause 54, whether the Amendment of the hon. Member for South Leicestershire with regard to Clause 54 was passed or not. He should certainly reserve to himself the right to move an Amendment to the hon. Member for South Leicestershire on the Report; it would only be fair to give oneself the right to suggest some such Amendment.

MR. RYLANDS just wished to say that, in regard to the proposed new clause to be brought up on the Report, it was desirable to have the views of the Government in print, and then to have an opportunity of re-considering them in Committee. He believed that would save time, rather than by throwing discussion on the Report, whereby the progress of the Bill might be impeded. The Government, having brought forward a Bill in which they had made great changes, showed that they had no sound convictions. This had caused great loss of time, and they should not, therefore, press too strongly against Amendments.

Amendment, by leave, *withdrawn.*

Question put, "That Clause 55 stand part of the Bill."

The Committee *divided:*—Ayes 217; Noes 25: Majority 192.—(Div. List, No. 230.)

Clause *agreed to.*

Clause 56 (Proceedings in court of summary jurisdiction) *agreed to.*

Clause 57 (Appeal), verbally *amended,* and *agreed to.*

Clause 58 (Proceedings under Customs Acts for unlawful landing or shipping) *agreed to.*

Clause 59 (General provision as to procedure).

MR. ANDERSON said, he had an Amendment to this clause, which was printed out of its place on the Paper, but would be found lower down. It was to leave out Sub-section 7. It seemed to him that clause was a very improper one, indeed. Very important facts might be ignored for the purposes of a particular prosecution. An offence might be considered to have arisen in a place where the offence committed actually arose, or in any other place. It did appear to him that this was an arbitrary power to give in prosecuting a person, to alter material facts in order to secure a conviction.

SIR HENRY SELWIN-IBBETSON said, this clause was really in accordance with the existing law, and it was a section which had been found exceedingly useful in the working of the present Act by the Privy Council. Under these circumstances, as it was merely a continuance of the present law, he hoped the Committee would not consent to its being withdrawn.

MR. WHITWELL thought the question did require consideration. It proposed that a man should be indicted at one place for an offence which had arisen at another place. It proposed to constitute the offence at the place the person happened to be, although it might have occurred in an entirely different part of the country. That placed an offender in a position that might be very unfair to him, and that was opposed to our English law. He was quite in favour of this Bill being passed with such restrictions as might protect the property on which people depended; but there were limits beyond which they ought not to go. He thought those limits were passed in this case. This was a clause which the Committee ought not to accept. He was glad to see the hon. and learned Gentleman the Attorney General, whom he wished would recommend the Committee to do without this clause. He thought there could be no question on that point; and within his own experience no case occurred in which this clause would have been of any use. Perhaps the hon. Baronet the Secretary to the Treasury would kindly inform the Committee if there had been any case brought under its operation.

MR. GOLDNEY held that this was a clause very favourable to the offender, because the prosecutor would have to bring the witnesses to him.

MR. BUTT remarked, that whether the clause was useful or not, it was not opposed to English law. A man was usually tried under summary proceedings in the place where the offence was committed. This clause deviated from that, and enabled him to be tried in the place of arrest. That was not new to the law. In cases of bigamy, wherever a man was taken he could be tried. If the change had any effect, he thought it would be far better for the man if he was tried where he was, and so put on the opposite party the expense of bringing all their witnesses.

MR. ANDERSON: After that explanation, I will withdraw.

Amendment, by leave, *withdrawn.*

Clause *agreed to.*

PART III.—SCOTLAND.

Clause 60 (Application of Parts II. and III. to Scotland) *agreed to.*

Local Authorities.

Clause 61 (Local authorities in schedule) *agreed to.*

Clause 62 (Appointment of local authority in counties).

MR. RAMSAY wished to draw the attention of the Secretary to the Treasury to the great difficulty experienced in getting meetings of farmers in large counties. He did not wish to obstruct the passing of the clause; but he hoped the hon. Baronet would be able to do something in that respect. If farmers were asked to meet for the purposes of local representation on the local authority they did not meet. It would be well if provisions were inserted in the clause to allow the parishes in each county to select tenant-farmers who should elect Members to represent them on the local authority.

MR. J. W. BARCLAY had given Notice of the following Amendment:—In page 33, line 22, to leave out—

> "Authority, and in the manner by, and in which the members vacating office, were respectively nominated,"

and insert—

> "Local authority electing a commissioner of supply, or occupier of an agricultural subject, as the case may be, to fill such vacancy."

MR. RAMSAY, in the absence of the hon. Member for Forfarshire (Mr. J. W. Barclay), wished to draw the attention of the hon. Baronet the Secretary to the Treasury to the fact that there would be great difficulty experienced in convening a meeting of farmers in the larger counties of Scotland, as proposed by the Bill. Therefore, he thought it would be better to alter the clause on Report. He did not wish to obstruct the Bill; but he must point out that the difficulty it would create was this—that farmers could not meet together to elect their own representatives. He thought the power to choose might be given to an elected representative board, selected by the tenant-farmers and the local authorities. He quite agreed with the Amendment of the hon. Member for Forfarshire; and, therefore, in his absence, he would move it. In the event of a vacancy occurring, as contemplated by the Act, it would be impossible to get the farmers of a county together to fill it. As an instance of this, he might take the county in which he resided, where there was an extensive district, with which he was connected. Since the Act of 1869 came into operation all the tenant-farmers elected in that district had died, and no means had been taken to fill up the vacancies. Therefore, he hoped the hon. Baronet the Secretary to the Treasury would consent to the Amendment he had proposed.

Sir HENRY SELWIN-IBBETSON quite saw the force of the remarks of the hon. Member; but he could hardly agree to the terms of the Amendment in the absence of his right hon. and learned Friend the Lord Advocate, who had had the charge and preparation of the Scotch clauses. Several hon. Members from Scotland had brought under his (Sir Henry Selwin-Ibbetson's) notice the difficulty of getting a body of electors together to fill up the vacancies; but before doing anything in the matter, he would like to consult his right hon. and learned Friend as to the best course to be adopted.

Colonel MURE said, there were many counties in which the difficulty anticipated by the hon. Member (Mr. Ramsay) would not arise, although, undoubtedly, it might be impossible to call meetings of every farmer in such counties as Argyll and Inverness.

Mr. RAMSAY could not agree with the views of the hon. and gallant Member. Even in such a county as Renfrew it would be difficult to get the farmers together at one point; and, therefore, the best plan to adopt would be to have a representative farmer from each parish charged with the election of the local authority. Without some such arrangement, no proper action could be agreed on, as, despite the observations of his hon. and gallant Friend (Colonel Mure) he was sure meetings of the general body of farmers would be impracticable in any county for such a purpose. He hoped the hon. Baronet the Secretary to the Treasury would consider the observations he had made, and he would then withdraw the Amendment.

Amendment, by leave, *withdrawn.*

Inspectors.

Clause 63 (Powers and qualifications of Inspectors) *agreed to.*

Legal Proceedings.

Clause 64 (Recovery and application of penalties, and other matters).

Mr. ANDERSON moved, in page 35, line 29, after "Act," to insert—"if from justices or burgh magistrates shall be to the sheriff of the county, otherwise." At present the provisions of the Bill would bear very hard upon a poor man. If any appeal were made, it would have to be to the Court of Justiciary at Edinburgh. The Amendment he proposed did not alter that provision if the appeal were made from the Sheriff; but when appeals were made from the Justices or borough magistrates, he desired that they should be heard by the Sheriff. This would give a poor man a chance of getting redress. They had not got much faith in Justices' decisions in Scotland, and it was necessary to provide a more simple mode of appeal from them or borough magistrates than the Bill at present provided. He, therefore, hoped the hon. Gentleman would concede the Amendment.

Sir HENRY SELWIN-IBBETSON could not agree to accept the Amendment, and for this reason—these clauses had been carefully drawn by his right hon. and learned Friend the Lord Advocate, with a special view to the present form of appeal. The same form was adopted in all Acts now being passed relating to Scotland; and, therefore, he could not accept the proposed alteration.

Amendment *negatived.*

Mr. ANDERSON moved, in page 35, line 38, to leave out "the fine and expenses awarded against him by the conviction or order appealed from, together with." He thought such an Amendment could hardly be refused, because an exactly similar one had already been accepted for England. The effect of the Amendment was that a man appealing against a judgment should find security for the costs of the appeal, but should not be compelled to find security for the fine inflicted upon him. Such a provision, as enacted in the Bill, meant depriving a poor man of the right of any appeal at all. As the right of not finding security for the fine on appeal had been accorded to the English people, of course the same policy would be adopted in the case of the Scotch people.

Amendment *agreed to.*

SIR CHARLES W. DILKE moved that the Chairman report Progress. They were now coming to the Irish portion of the Bill, and it was perfectly preposterous to think of taking any Irish clause at such an hour—a quarter to 1. Clause 33—the very important foreign clause—was postponed that night, in order that the Irish clauses might first be considered. That being so, the Irish part of the Bill required careful consideration, with the view of taking them together with the clause alluding to foreign animals.

Motion made, and Question proposed, "That the Chairman do report Progress, and ask leave to sit again."—(*Sir Charles W. Dilke.*)

THE CHANCELLOR OF THE EXCHEQUER pointed out that much time might be wasted by reporting Progress. They had now to consider not only hours, but days; and, bearing in mind the Amendments which had been made in the Bill, and bearing in mind that the greater part of the next week would be devoted to the foreign debate, they had to consider how far they could go with the Bill that night. He knew that many hon. Members from Ireland were exceedingly anxious to go on with the Intermediate Education (Ireland) Bill; but it would be impossible for the Government to take that unless they were allowed to make progress with the Contagious Diseases (Animals) Bill. He thought the House would be disposed to make an exertion to push forward the Business, and not prolong the Session too much.

MAJOR NOLAN saw no reason why they should not go on with the Contagious Diseases (Animals) Bill. He desired to see the Irish clauses disposed of, so that they might proceed with the Intermediate Education (Ireland) Bill.

Question put.

The Committee *divided* :—Ayes 16; Noes 166: Majority 150.—(Div. List, No. 231.)

MR. CHAMBERLAIN moved that the Chairman do leave the Chair. He must say it appeared to him extremely unreasonable to be pressing on the Bill at such a time, especially as the Committee had considered 34 clauses that evening, showing that the Government had been allowed to make very considerable progress. If there had been any obstruction to the measure, he said deliberately that it had proceeded from the Government, because Amendments had been accepted after the Government had spent two or three hours in disputing them. He considered that time would be saved if the Government would accept his proposal, and let the House consider the remainder of the Bill at some future date.

Motion made, and Question proposed, "That the Chairman do now leave the Chair."—(*Mr. Chamberlain.*)

MR. BUTT said, the clauses of the Bill at present before the Committee related exclusively to Ireland, and there was not a single Irish Member present who did not wish the discussion to proceed. There was not one Irish Member who voted in the miserable minority of 16. Was he to understand that this Motion to obstruct the Irish Members in their own Business was given up. [MR. CHAMBERLAIN: No, it is not.] That being so, he must tell the hon. Member for Chelsea that this was an obstruction of the Irish Members; and he must say that the hon. Member for Chelsea should be the last person in the House to be guilty of such obstruction, seeing that he was returned by Irish votes to that House. He (Mr. Butt) thought it ill became the hon. Baronet to set himself against the wishes of the whole Irish Members. He had no objection to a fair discussion upon any clause, but he protested against obstruction. He appealed to the Committee and to the House for fair play; and he complained of the action of those who were trying to prevent the Irish Members doing their Business at any time of night they chose. They wished to go on with the Bill, because they knew that by so doing they would be forwarding a Bill of great interest to Ireland. He, therefore, appealed to the hon. Member for Chelsea not to obstruct the Irish Members in Business which concerned them.

MR. CHAPLIN said, the hon. Member for Chelsea had stated that he would not oppose the Bill save in the shape of fair criticism. He now gave the hon. Member the opportunity of proving the sincerity of that allegation. There was now a proposal before the House that the Chairman leave the Chair, although there was no Amendment of any consequence on the Paper until Clause 68 was reached. That being so, if hon. Members were sincere in their statement that they did not wish to vexatiously obstruct the measure, they would go on with the clauses until an important Amendment was reached.

MR. MURPHY asked the hon. Member for Birmingham (Mr. Chamberlain) to withdraw his Motion until Clause 68 was reached, as previous to that clause there were no Amendments beyond mere formalities. When Clause 68 was reached, as the hon. Member for Durham (Mr. Pease) had an important Amendment to it, he would suggest that Progress be reported.

SIR CHARLES W. DILKE said, he was quite ready to accept the proposal of the last speaker. His only object in the course he had taken was that the part of the Bill relating to Ireland should not be discussed at such an hour; and if hon. Members said there were some clauses on which no important Amendments occurred, he did not see why those should not be taken before Progress was reported; although, at the same time, he must confess that he thought no time would be lost by deferring them to another day. His hon. and learned Friend the Member for Limerick (Mr. Butt) had spoken very strongly with regard to him (Sir Charles W. Dilke). He and his hon. and learned Friend had always been on good terms, and he hoped always would be. But with regard to the hon. and learned Gentleman's charge against English Members of obstructing Irish Business, he must assure him that if the part of the Bill they were now on related exclusively to Ireland, the English Members certainly would not interfere. But they could not look at the Bill in that way. They must regard it as affecting England, and affecting the trade in foreign animals. Early in the evening, his right hon. Friend the Member for Bradford (Mr. W. E. Forster) who, he was sorry to say, had voted against reporting Progress — moved, in a few excellent remarks, that Clause 33 be postponed until the part of the Bill relating to Ireland had been considered, and to this the Government assented, admitting, at once, that it was necessary to decide first what was to be done with regard to Ireland before dealing with foreign beasts. This acceptance on the part of the Government of the suggestion of his right hon. Friend, showed that they considered that part of the Bill relating to foreign animals, and that having reference to Ireland, should be taken conjointly. That being so, he thought the Irish clauses should not be taken that night.

MR. W. E. FORSTER said, half-an-hour before he had asked whether the Irish clauses were likely to come on that night, and he understood the hon. Gentleman (Sir Henry Selwin-Ibbetson) to say he thought they would not. The consequence was that he had contemplated leaving the House. When the Motion to report Progress was made, and he found that the Irish Members wished to go on, he considered that they might fairly do so until a debatable clause was reached, and hence, he voted against reporting Progress. He still considered they might be allowed to go on until the 68th clause was reached; but that then Progress had better be reported, as the clause was an important one, and one on which the hon. Member for Durham (Mr. Pease) and the hon. Member for Glasgow (Mr. Anderson) would both propose Amendments.

MR. DILLWYN regretted the attack which had just been made upon his hon. Friend the Member for Chelsea. It was not correct to say that his hon. Friend had obstructed the Bill. He had rendered most valuable aid in discussing the clauses. While, however, he was surprised that his hon. Friend should have been attacked in such a violent manner, he was still more surprised at the conduct of the Government. The Bill had now been under consideration for several hours, and when, after 1 o'clock in the morning, they moved to report Progress, they were immediately told by the Government that they were obstructives. This was not the way hon. Members ought to be treated. Formerly, it was the practice of Government to consent to Progress being reported when it was half-past 12 o'clock, and it was quite an innovation for the present Government to desire to push a measure through Committee after 1 o'clock in the morning. He hoped, if they were to proceed any further with the Bill that night, it would be on the understanding that they were not to take any contested clauses, only those that were unopposed. The House was not in a temper to discuss the Bill any more that night, and he should certainly object to their taking any clause which was opposed.

THE CHANCELLOR OF THE EXCHEQUER: Of course, we do not want to detain the House unnecessarily, and we feel that there are one or two important clauses—such as Clause 68—which it would not be right for us to ask the Committee to discuss to-night. On the other hand, there are several clauses which we think may well be disposed of at the present Sitting, because they do not appear likely to give rise to any serious discussion. What I suggest is that when we come to Clause 68, we should postpone it until a future day; but that we should endeavour to complete the other clauses of the Bill. If we do that, we may be able to get through a good deal of work, not of a very difficult character, but which might lead to more discussion on another occasion than it will now.

MR. W. E. FORSTER thought the proposal just made could hardly be accepted. Not only would Clause 68 create some discussion, but there was an important Amendment to Clause 71. The Government ought to be satisfied if they passed the unopposed clauses up to Clause 68, and that Progress should then be reported.

MAJOR NOLAN was in favour of proceeding with the Bill.

MR. BIGGAR regretted the speech of the hon. and learned Member for Limerick (Mr. Butt). It showed an entire want of knowledge of the case, and he protested against a discussion of so much importance to Ireland being commenced at half-past 1 o'clock in the morning. On a former occasion, a great injustice was inflicted upon Ireland by a Cattle Plague Bill being forced through at an early hour of the morning. Although, in the division which had just taken place, he had voted in the majority, yet, if there was to be another division, he should vote in favour of adjournment.

MR. CHAMBERLAIN gathered that it was the wish of the Committee that before Progress was reported, the couple of unopposed clauses should be agreed to; and, therefore, he would withdraw his Motion.

Motion, by leave, *withdrawn.*

Clause *agreed to.*

PART IV.—IRELAND.

Clause 65 (Application of Parts II. and IV. to Ireland) *agreed to.*

Clause 66 (Interpretation in Part IV.) *agreed to.*

Lord Lieutenant and Privy Council.

Clause 67 (Powers of Lord Lieutenant and Privy Council) *agreed to.*

Committee report Progress; to sit again upon *Wednesday.*

INTERMEDIATE EDUCATION (IRELAND).

Considered in Committee.

(In the Committee.)

Resolved, That it is expedient to authorise the extension of the several provisions of "The Irish Church Act, 1869," with respect to Advances to be made by the Commissioners for the Reduction of the National Debt to the Commissioners of Church Temporalities, and with respect to the powers of the Commissioners of Her Majesty's Treasury in relation to the Money to be so raised, to the provisions of any Act of the present Session to promote Intermediate Education in Ireland.

Resolution to be reported *To-morrow.*

PRISON (OFFICERS' SUPERANNUATION) BILL.

Resolution [July 19] *reported,* and *agreed to:*—Bill *ordered* to be brought in by Sir HENRY SELWIN-IBBETSON and Mr. Secretary CROSS.

Bill *presented,* and read the first time. [Bill 269.]

INDIAN NATIVE TROOPS (TRANSPORT AND EMPLOYMENT ABROAD).

Select Committee *appointed*, "to inquire into the cost of the recent movement of Her Majesty's Indian Troops from India to Malta, and to report in what respects, if any, the arrangements for employing European and Indian Native Troops together, outside the limits of India, require modification."—(*Secretary Colonel Stanley.*)

And, on July 23, Committee *nominated* as follows:—Sir GEORGE CAMPBELL, Sir JOHN HAY, Mr. CHILDERS, Sir HENRY HAVELOCK, Mr. CAMPBELL-BANNERMAN, Colonel ARBUTHNOT, Mr. MARTEN, Mr. SAMPSON LLOYD, Mr. RICHARD POWER, Colonel HAYTER, Lord BURGHLEY, Sir HENRY WILMOT, Mr. DEEDES, Mr. FAWCETT, and Lord EUSTACE CECIL:—Power to send for persons, papers, and records; Five to be the quorum.

And, on July 24, Mr. ONSLOW and Sir PATRICK O'BRIEN *added*.

ARRANMORE POLLING DISTRICT (IRELAND) BILL.

On Motion of Sir JOSEPH M'KENNA, Bill to amend the Law in respect to the Polling District of Arranmore (Ireland), *ordered* to be brought in by Sir JOSEPH M'KENNA, Marquess of HAMILTON, and Mr. CHARLEY.

Bill *presented*, and read the first time. [Bill 270.]

LOCOMOTIVES ON HIGHWAYS (SCOTLAND) BILL.

On Motion of The LORD ADVOCATE, Bill for further regulating the use of Locomotives on Highways in Scotland, *ordered* to be brought in by The LORD ADVOCATE and Sir MATTHEW RIDLEY.

Bill *presented*, and read the first time. [Bill 271.]

House adjourned at a quarter before Two o'clock.

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TO

HANSARD'S PARLIAMENTARY DEBATES,

VOLUME CCXLI.

FIFTH VOLUME OF SESSION 1878.

Explanation of the Abbreviations.

In Bills, Read 1°, 2°, 3°, or 1ª, 2ª, 3ª, Read the First, Second, or Third Time.—In Speeches, 1R., 2R., 3R., Speech delivered on the First, Second, or Third Reading.—*Amendt.*, Amendment.—*Res.*, Resolution.—*Comm.*, Committee.—*Re-Comm.*, Re-Committal.—*Rep.*, Report.—*Consid.*, Consideration.—*Adj.*, Adjournment or Adjourned.—*cl.*, Clause.—*add. cl.*, Additional Clause.—*neg.*, Negatived.—*M. Q.*, Main Question.—*O. Q.*, Original Question.—*O. M.*, Original Motion.—*P. Q.*, Previous Question.—R. P., Report Progress.—*A.*, Ayes.—*N.*, Noes.—*M.*, Majority.—*1st. Div.*, *2nd. Div.*, First or Second Division.—*l.*, Lords.—*c.*, Commons.

When in this Index a * is added to the Reading of a Bill, it indicates that no Debate took place upon that stage of the measure.

When in the Text or in the Index a Speech is marked thus *, it indicates that the Speech is reprinted from a Pamphlet or some authorized Report.

When in the Index a † is prefixed to a Name or an Office (the Member having accepted or vacated office during the Session) and to Subjects of Debate thereunder, it indicates that the Speeches on those Subjects were delivered in the speaker's private or official character, as the case may be.

Some subjects of debate have been classified under the following "General Headings:"—ARMY—NAVY—INDIA—IRELAND—SCOTLAND—PARLIAMENT—POOR LAW—POST OFFICE—METROPOLIS—CHURCH OF ENGLAND—EDUCATION—CRIMINAL LAW—LAW AND JUSTICE—TAXATION, under WAYS AND MEANS.

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Alexander, Colonel C., *Ayrshire, S.*
Roads and Bridges (Scotland), Consid. 603; *cl.* 114, Amendt. 843

Anderson, Mr. G., *Glasgow*
Austrian Cattle from Spain, Importation of, 492
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Contagious Diseases (Animals) 2R. 359; Comm. *cl.* 2, 1614, 1618; Motion for reporting Progress, 1678; *cl.* 9, 1747; *cl.* 15, 1873; *cl.* 16, 1886, 1888; *cl.* 21, Amendt. 1910, 1912; *cl.* 22, 1926, 1985, 1987; *cl.* 30, 2070, 2074, 2077; *cl.* 32, Amendt. 2083, 2084; *cl.* 55, 2133; *cl.* 59, Amendt. 2136, 2138; *cl.* 64, Amendt. 2140
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Roads and Bridges (Scotland), Consid. Amendt. 590, 607; *add. cl.* 641; *cl.* 3, 644, 826; *cl.* 56, 830; *cl.* 80, *ib.*, 831, 833, 839; 3R. Amendt. 1071, 1072

Anstruther, Sir W. C., *Lanarkshire, S.*
Roads and Bridges (Scotland), Consid. *cl.* 88, 883

Arbuthnot, Colonel G., *Hereford*
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Abolition of Purchase, Question, Colonel Arbuthnot; Answer, Colonel Stanley *July* 11, 1235
Army India—The Indian Staff Corps, Question, Observations, Lord Waveney; Reply, Viscount Cranbrook; short debate thereon *July* 15, 1449
Arrears of Pay—Officers of Artillery and Engineers, Question, Colonel Arbuthnot; Answer, Mr. E. Stanhope *July* 4, 760;—*Paymasters*, Question, Major O'Beirne; Answer, Mr. E. Stanhope *July* 11, 1239
Department of Contracts, Question, General Sir George Balfour; Answer, Lord Eustace Cecil *July* 18, 1852
Half-Pay — The Royal Warrant, Question, Major O'Beirne; Answer, Colonel Stanley *July* 22, 2061

Military Forces of the Crown
Mutiny Act—The European and Native Indian Army, Question, Mr. Muntz; Answer, The Attorney General *July* 22, 2056
The Reserve Men, Question, Mr. Rathbone; Answer, Colonel Stanley *July* 4, 759

Militia Reserve Act—Non-Commissioned Officers, Question, Earl Percy; Answer, Colonel Stanley *July* 1, 496
Recruiting Sergeants—The Line and Militia, Question, Mr. Ritchie; Answer, Colonel Stanley *July* 15, 1470
The Army and Militia Reserves, Question, Major Nolan; Answer, Colonel Loyd Lindsay *July* 18, 1846; Question, Mr. Rathbone Answer, Colonel Stanley *July* 22, 2052
The Eastern Question—The Indian Contingent—Cost, Questions, Sir George Campbell, Mr. Childers; Answers, Colonel Stanley *July* 11, 1244

Nationality of Adjutants, Question, Major O'Beirne; Answer, Colonel Stanley *July* 4, 758
Poisoning of Soldiers at Malta, Question, Mr. Muntz; Answer, Colonel Stanley *July* 22, 2059
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The Commander-in-Chief—Leave of Absence, Question, Major O'Beirne; Answer, Colonel Loyd Lindsay *July* 12, 1335
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[See title *Indian Native Troops*]

Army — Artillery — Muzzle-loading and Breech-loading Rifled Guns

Address for Returns (*The Lord Waveney*) *July* 12, 1325; after short debate, Motion withdrawn

Arranmore Polling District (Ireland) Bill (*Sir Joseph M'Kenna, Marquess of Hamilton, Mr. Charley*)

c. Ordered; read 1°* *July* 22 [Bill 270]

Artizans Dwellings Act, 1875—*Operation in Ireland*

Question, Sir Ughtred Kay-Shuttleworth; Answer, Mr. J. Lowther *July* 12, 1334

ASHBURY, Mr. J. L., *Brighton*

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ASHLEY, Hon. A. Evelyn M., *Poole*

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ASSHETON, Mr. R., *Clitheroe*

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ATTORNEY GENERAL, The (Sir J. HOLKER), *Preston*

Contagious Diseases (Animals), Comm. *cl.* 2, 1636

Criminal Law (Indictable Offences), 763;—Burglars with Housebreaking Implements—Definition of "Night," 1970

Masters and Servants—Liability of Employers, 1244

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BAILEY, Sir J. R., *Herefordshire*

Highways, Comm. *cl.* 11, 872

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BALFOUR, Major-General Sir G., *Kincardineshire*

Admiralty and War Office (Retirement of Officers), Comm. 1374; *cl.* 2, 1384

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Ballymena and Larne Railway Bill [H.L.]

l. Read 3ª *June* 24, 102

After short debate, Bill passed

BARCLAY, Mr. J. W., *Forfarshire*

Contagious Diseases (Animals), 2R. 401; Comm. *cl.* 2, 1615, 1618, 1717; *cl.* 9, 1743, 1748; *cl.* 10, 1856; Amendt. 1862, 1864; *cl.* 15, 1876; Amendt. 1881, 1883; *cl.* 16, 1892, 1904; *cl.* 21, 1908, 1911, 1912; Amendt. 1918, 1919, 1920, 1922; *cl.* 22, 1987, 1991; Amendt. 1992, 1999; *cl.* 29, Amendt. 2011, 2013, 2015, 2016; *cl.* 30, 2071, 2076; *cl.* 31, 2081, 2082; *cl.* 32, Amendt. 2083; *cl.* 39, Amendt. 2088, 2089; *cl.* 45, Amendt. 2090; *cl.* 53, 2091; *cl.* 54, 2093, 2094; *cl.* 55, 2099, 2127; *cl.* 62, Amendt. 2138

Metropolitan Board of Works (Money), Comm. *cl.* 17, 1940

Roads and Bridges (Scotland), Consid. 609; *add. cl.* 639; *cl.* 3, 644; *cl.* 10, Amendt. 645; *cl.* 39, Amendt. 650

Valuation of Lands (Scotland) Amendment, Comm. 1941; Motion for Adjournment, 1945

BARING, Mr. T. C., *Essex, S.*

Admiralty and War Office (Retirement of Officers), Comm. *cl.* 2, 1385

Epping Forest, Comm. 575; *cl.* 13, 577

Irish Church Act (1869) Amendment (No. 2), 2R. 1570

BARNE, Lt.-Colonel F. St. John N., *Suffolk, E.*

Contagious Diseases (Animals), Comm. *cl.* 30, 2074

BARRAN, Mr. J., *Leeds*

Contagious Diseases (Animals), Comm. 1015

Permissive Prohibitory Liquor, 2R. 269

BARTTELOT, Colonel Sir W. B., *Sussex, W.*

Contagious Diseases (Animals), 2R. 222, 225; Comm. *cl.* 10, 1856; *cl.* 15, 1872; *cl.* 22, 1930

Highways, Comm. *cl.* 11, 858; *add. cl.* 1337, 1358

Poor Law Amendment Act (1876) Amendment, Lords Amendts. Consid. 1045

Sale of Intoxicating Liquors on Sunday (Ireland), Consid. 1257

Valuation of Property, Comm. *cl.* 9, Amendt. 57; *cl.* 16, 65

BAXTER, Right Hon. W. E., *Montrose, &c.*

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Beach, Right Hon. Sir M. E. Hicks- (Secretary of State for the Colonies), *Gloucestershire, E.*
  Africa, South—Miscellaneous Questions
    Griqualand West, 1243
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  Contagious Diseases (Animals), 2R. 187
  Parliament — County of Clare — Sir Bryan O'Loghlen, 2061
  Public Works Loans (Ireland) Act (1877) Amendment, Comm. 66
  Supply—Local Government Board, Ireland, 1561, 1562

Beach, Mr. W. W. B., *Hampshire, N.*
  Highways, Comm. 459; *cl.* 4, Amendt. 466; *cl.* 7, 469; *cl.* 11, 473; *cl.* 18, 887
  Valuation of Property, Comm. *cl.* 3, 31

Beaconsfield, Earl of (First Lord of the Treasury)
  Eastern Question—Congress—Correspondence and Protocols, 1753

Beauchamp, Earl (Lord Steward of the Household)
  Inclosure Provisional Order (Orford), 208
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Beaumont, Lt.-Colonel F. E. B., *Durham, S.*
  Highways, Comm. *cl.* 21, 1085, 1086, 1089, 1091; *cl.* 22, Amendt. 1093, 1095

Beaumont, Mr. W. B., *Northumberland, S.*
  Highways, Comm. *cl.* 21, 1089; *add. cl.* 1340, 1355, 1356, 1357

Belfast Improvement Bill (by Order)
c. Order for Consideration of Lords' Amendts. read *July* 9, 1054
  Moved, "That the said Amendts. be now taken into Consideration" (*Mr. J. P. Corry*)
  Amendt. to leave out "now," and add "upon this day three months" (*Mr. Biggar*); Question proposed, "That 'now,' &c.;" after short debate, main Question put, and agreed to; Lords' Amendts considered
  After further short debate, Lords Amendts. agreed to

Bell, Mr. I. L., *Hartlepool*
  Contagious Diseases (Animals), Comm. *cl.* 2, 1724
  Contagious Diseases (Animals) [Salaries, Compensations, &c.], Comm. 1591
  Highways, Comm. *cl.* 23, 1098
  Supply—Local Government Board, Ireland, 1559, 1562

Belmore, Earl of
  Dublin University Commission, Report, 955

Benett-Stanford, Mr. V. F., *Shaftesbury*
  Highways, Comm. 459

Biggar, Mr. J. G., *Cavan Co.*
  Admiralty and War Office (Retirement of Officers), Comm. *cl.* 1, 1377; *cl.* 2, 1385, 1386, 1425
  Belfast Improvement, Lords Amendts. Consid. Amendt. 1054, 1059, 1060, 1067
  Bishoprics, 2R. 1029
  Contagious Diseases (Animals), Comm. 995; *cl.* 2, Amendt. 1610, 1617, 1619, 1724; *cl.* 55, 2101; Amendt. 2104, 2107, 2109, 2111, 2112, 2113, 2119, 2122, 2123, 2132; *cl.* 64, 2145
  Contagious Diseases (Animals) [Salaries, Compensations, &c.], Comm. 1598, 1606, 1696
  Ireland—Miscellaneous Questions
    Criminal Law—Edward O'Kelly, Case of, 958
    Peace Preservation (Ireland) Act, 1875—Searches for Arms, 123, 958
    Taxation—Volunteer Force, 131
  Political Prisoners, 2R. 735
  Supply—Chief Secretary for Ireland, Offices, 1549
    Local Government Board in Ireland, 1557, 1562
  Valuation of Property, Comm. *cl.* 3, Amendt. 22, 32
  Weights and Measures, Comm. *cl.* 1, Motion for Adjournment, 409

Bills of Sale Bill (*The Lord Selborne*)
l. Committee * *June* 27 (Nos. 80-135)
  Report * *July* 2 (No. 143)
  Read 3ª * *July* 4
  Royal Assent *July* 22 [41 & 42 *Vict.* c. 31]

Bishoprics Bill [H.L.] (*Mr. Secretary Cross*)
c. Moved, "That the Bill be now read 2°" *July* 8, 1026
  Amendt. to leave out "now," and add "upon this day three months" (*Mr. Dillwyn*); Question proposed, "That 'now,' &c.;" after short debate, Moved, "That the Debate be now adjourned" (*Sir Andrew Lusk*); Question put, and negatived
  Original Question, "That 'now,' &c.;" put; A. 188, N. 60; M. 128 (D. L. 199)
  Main Question put, and agreed to; Bill read 2°

Blake, Mr. T., *Leominster*
  Valuation of Property, Comm. *cl.* 3, 29, 31; *cl.* 8, 50

Blantyre, Lord
  Roads and Bridges (Scotland), 2R. 1965

Bourke, Hon. R. (Under Secretary of State for Foreign Affairs), *Lynn Regis*
  China—Famine, 328
  Eastern Question—Convention between England and Turkey, 1069;—Despatch of May 30, 2063
    Treaty of Berlin, 1582

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    Temporary Writers, 495, 758
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  Spain—Fiscal Legislation—Duties on British Goods, 1581
  Spain and China—Emigration Treaty, 1468
  Tunis and Tripoli, 1580
  Turkey—Miscellaneous Questions
    Crete, 817
    Crete and Mitylene, 958
    Roumania—Commercial Treaty, 2053
    Roumelia, Atrocities in, 1246
    Slavery and the Slave Trade, 1247, 1248

Bowen, Mr. J. B., *Pembroke*
  Habitual Drunkards, 2R. 717

Bowyer, Sir G., *Wexford Co.*
  Real Estate Intestacy, 2R. 1189, 1192
  Sergeant M'Carthy, Case of, Motion for an Address, 1410

Brady, Dr. J., *Leitrim Co.*
  Contagious Diseases (Animals), Comm. *cl.* 55, 2124, 2128, 2138

Brand, Right Hon. H. B. W., (*see* Speaker, The)

Breach of Promise of Marriage Bill
(*Mr. Herschell, Mr. Rodwell, Mr. Ryder*)
c. Bill withdrawn * *July* 16 [Bill 80]

Briggs, Mr. W. E., *Blackburn*
  Contagious Diseases (Animals), Comm. 1008
  Idiots, &c. (Ireland), Comm. *cl.* 6, 582

Bright, Mr. J., *Manchester*
  Contagious Diseases (Animals), 2R. 545; Comm. *cl.* 2, 1613, 1676; *cl.* 55, 2131
  Contagious Diseases (Animals) [Salaries, Compensations, &c.], Comm. 1584, 1697

Brise, Colonel S. B. Ruggles-, *Essex, E.*
  Contagious Diseases (Animals), Comm. *cl.* 16, 1905; *cl.* 55, 2098
  Highways, Comm. 463; *add. cl.* 1353
  Valuation of Property, Comm. *cl.* 3, 40; *cl.* 5, Amendt. 34; *cl.* 8, Amendt. 37; *cl.* 9, Amendt. 57; *cl.* 16, 65

Bristowe, Mr. S. B., *Newark*
  Contagious Diseases (Animals), Comm. *cl.* 30, 2071
  Highways, Comm. *cl.* 18, 888; *cl.* 21, 1086; *cl.* 30, Amendt. 1103; *add. cl.* 1340, 1354

British Museum (Transfer of Collection) Bill (*Mr. Walpole, Mr. Lowe, Sir John Lubbock*)
c. Ordered; read 1° * *July* 2 [Bill 236]
  Read 2° * *July* 9
  Committee *; Report *July* 15

Brogden, Mr. A., *Wednesbury*
  Irish Land Act (1870), Res. 1152

Brooks, Mr. M., *Dublin*
  Dublin, Wicklow, and Wexford Railway, 1234

Brown, Mr. A. H., *Wenlock*
  Highways, Comm. *cl.* 18, 885
  Post Office—Porterage on Telegrams, 1467
  Public Health Act (1875) Amendment, Lords Amendts. Consid. 580

Bruen, Mr. H., *Carlow Co.*
  Irish Land Act (1870), Res. 1139
  Removal of Paupers, Res. 673

Buccleuch, Duke of
  Roads and Bridges (Scotland), Comm. *cl.* 37, Amendt. 2046

Bulwer, Mr. J. R., *Ipswich*
  Highways, Comm. *add. cl.* 1341, 1358, 1365

Bury, Viscount (Under Secretary of State for War)
  Army—Artillery—Muzzle-loading and Breech-loading Rifled Guns, Motion for Returns, 1328

Butt, Mr. I., *Limerick City*
  Contagious Diseases (Animals), Comm. *cl.* 59, 2137; *cl.* 64, 2142
  Intermediate Education (Ireland), 2R. 1520
  Irish Land Act (1870), Res. 1148
  Parliament—Order of Business, 2063
  Poor Law Amendment Act (1876) Amendment, Lords Amendts. Consid. 1046
  Supply—Chief Secretary for Ireland, Offices, 1546, 1548
    Commissioners of Charitable Donations, &c. for Ireland, 1550
    Irish Academy, 1543, 1544
    Local Government Board in Ireland, 1563
    Queen's Colleges in Ireland, 1538
  Tenant Right (Ireland), Consid. *cl.* 2, Motion for Adjournment, 945, 947, 949, 1048, 1049

Cadogan, Earl (Under Secretary of State for the Colonies)
  Malta—Protest of the Maltese Nobles, 850, 851

Cairns, Lord (*see* Chancellor, The Lord)

Cambridge, Duke of (Field Marshal Commanding-in-Chief)
  Army (India)—Indian Staff Corps, 1455

Cameron, Dr. C., *Glasgow*
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University Commission—The Medical Professorships, 1843
Valuation of Lands (Scotland) Amendment, Comm. 1943

Campbell, Sir G., *Kirkcaldy, &c.*
Admiralty and War Office (Retirement of Officers), Comm. *cl.* 2, 1381
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Irish Land Act (1870), Res. 1134
Judicial Body (Scotland), 1850, 1851
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Turkey—Crete, 817
Treaty of Berlin—Article 18, 2055, 2056

Campbell-Bannerman, Mr. H., *Stirling, &c.*
Admiralty and War Office (Retirement of Officers), Comm. *cl.* 2, 1383
Roads and Bridges (Scotland), Consid. 596 ; *cl.* 51, 829 ; *cl.* 88, 837
Valuation of Lands (Scotland) Amendment, Comm. 1946

Camperdown, Earl of
Marriage Preliminaries (Scotland), 2R. 1428, 1433
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Carlingford, Lord
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Carnarvon, Earl of
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Cave, Right Hon. S. (Paymaster General), *New Shoreham*
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Cavendish, Lord F. C., *Yorkshire, W.R., N. Div.*
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Metropolitan Board of Works (Money), Comm. *cl.* 14, 1937

Cavendish, Lord G. H., *Derbyshire, N.*
Highways, Comm. 458 ; *cl.* 11, 473, 478, 866 ; *cl.* 18, 884, 886 ; *add. cl.* 1159, 1353

Cecil, Lord E. H. B. G. (Surveyor General of Ordnance), *Essex, W.*
Army—Department of Contracts, 1852

Chamberlain, Mr. J., *Birmingham*
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Contagious Diseases (Animals), 2R. 351 ; Comm. *cl.* 2, 1675, 1709 ; *cl.* 9, 1751 ; *cl.* 10, Amendt. 1854, 1862 ; *cl.* 15, Amendt. 1865, 1870, 1875, 1881, 1883 ; *cl.* 16, Amendt. 1884, 1885, 1887, 1888, 1890, 1892, 1902 ; *cl.* 21, 1911 ; Amendt. 1915, 1917 ; *cl.* 22, 1988, 1991, 2004, 2007 ; *cl.* 29, Amendt. 2012 ; *cl.* 37, 2087 ; *cl.* 38, 2088 ; *cl.* 55, 2113, 2125 ; *cl.* 64, Motion for Adjournment, 2142, 2146
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CHAPLIN, Lieut.-Colonel E., *Lincoln*
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CHAPLIN, Mr. H., *Lincolnshire, Mid.*
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Charitable Trusts Bill [H.L.]
(*The Lord Chancellor*)
l. Presented; read 1ª* *July* 9 (No. 150)
Read 2ª *July* 15, 1427
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CHARLEY, Mr. W. T., *Salford*
Contagious Diseases (Animals), Comm. 970, 976; *cl.* 2, 1716; *cl.* 9, 1736
Contagious Diseases (Animals) [Salaries, Compensations, &c.], Comm. 1601, 1608

CHICHESTER, Earl of
Ecclesiastical Commissioners — Case of Mr. Armstrong, 748

CHILDERS, Right Hon. H. C. E., *Pontefract*
Admiralty and War Office (Retirement of Officers), Comm. 1373; *cl.* 2, 1380, 1381, 1387
Eastern Question—Indian Contingent—Cost, 1244
Extra Expenditure—Ways and Means, 124, 125, 757
Foreign Office — Abstraction of a State Paper —Anglo-Turkish Memorandum, 2058
  Temporary Writers, 495, 757
Mercantile Marine—Coal Laden Ships, 1967
  Spontaneous Combustion of Coal—"Annie Richmond," 490
Supply—Supplementary Estimates, 2060
Valuation of Property, Comm. *cl.* 8, 51

China
The Chefoo Convention—Import of Opium, Question, Mr. Mark Stewart; Answer, Mr. E. Stanhope *June* 24, 127
The Famine, Question, Mr. Rathbone; Answer, Mr. Bourke *June* 27, 328

Christ's Hospital—Report of the Commission of Inquiry
Question, Mr. W. E. Forster; Answer, Mr. Assheton Cross *June* 24, 124

CHURCHILL, Lord R., *Woodstock*
Irish Land Act (1870), Res. 1142

Church of England—Queen Anne's Bounty Board
Question, Dr. Cameron; Answer, Mr. Assheton Cross *July* 22, 2050

Church of England—Ritualism
Amendt. on Committee of Supply *July* 5, To leave out from "That" and add "an humble Address be presented to Her Majesty, praying that She will be graciously pleased to appoint a Royal Commission to inquire as to the teaching and practice by Clergy of the Church of England of Doctrines and Ceremonies not authorized by Law, or contrary to the Laws and usages of the Church as by Law established" (*Mr. Edward Jenkins*) *v.*, 901; Question proposed, "That the words, &c.;" after debate, Amendt. withdrawn

Church Rates (Scotland) Bill
(*Mr. M'Laren, Dr. Cameron, Mr. Baxter, Mr. Trevelyan, Mr. Laing, Sir George Balfour*)
c. Bill withdrawn *July* 3, 688 [Bill 75]

COCHRANE, Mr. A. D. W. R. Baillie-*Isle of Wight*
Navy—H.M S. "Eurydice," 120

COGAN, Right Hon. W. H. F., *Kildare*
Contagious Diseases (Animals), Comm. *cl.* 55, 2115
Intermediate Education (Ireland), 2R. 1520
Irish Land Act (1870), Res. 1151

COLCHESTER, Lord
Weights and Measures, 2R. 2039

COLEBROOKE, Sir T. E., *Lanarkshire, N.*
Education Grants in Scotland, 801
Education Report (Scotland), 493
Roads and Bridges (Scotland), Consid. 598, 599, 601; *add. cl.* 640; *cl.* 51, Amendt. 828; *cl.* 88, Amendt. 830, 832, 840; 3R. 1077

Collection of Rates (Dublin) (No. 2) Bill
(*Mr. Meldon, Major Nolan*)
c. Ordered; read 1°* *July* 16 [Bill 264]

COLMAN, Mr. J. J., *Norwich*
Habitual Drunkards, 2R. 719

Commutation of Tithes Bill (*Mr. Cubitt, Mr. Arthur Vivian, Mr. Monk, Mr. Rodwell*)
c. Read 2°* *June* 26 [Bill 222]
Committee*; Report *July* 4
Considered* *July* 5
Read 3°* *July* 8
l. Read 1ª* (*Lord Henniker*) *July* 9 (No. 151)
Read 2ª* *July* 17

Consecration of Churchyards Act (1867) Amendment Bill (*Mr. Monk, Mr. Forsyth*)
c. Order for Committee read; Moved, "That Mr. Speaker do now leave the Chair" *June* 26, 298; Debate adjourned

Contagious Diseases (Animals) Bill [H.L.]
(*Sir Henry Selwin-Ibbetson*)
c. Moved, "That the Bill be now read 2°" *June* 24, 133
Amendt. to leave out from "That," and add "in the opinion of this House, the slaughter at the ports of landing of all fat cattle from the Continent would restrict the supply and increase the cost of food, and should therefore not be made compulsory under all circumstances by Act of Parliament" (*Mr. William Edward Forster*) *v.*; Question proposed, "That the words, &c.;" after long debate, Moved, "That the Debate be now adjourned" (*Mr. Rathbone*); after further short debate, Motion agreed to; Debate adjourned
Debate resumed *June* 25, 211; after debate, Debate further adjourned
Personal Explanation Mr. Ritchie *June* 27, 331; Debate resumed; after long debate, Moved, "That the Debate be now adjourned" (*Mr. Rodwell*); Motion agreed to; debate further adjourned
Debate resumed *July* 1, 500; after long debate, Question put; A. 319, N. 162; M. 157; Div. List, A. and N., 570
Main Question put, and agreed to; Bill read 2° [Bill 204]
Order for Committee read; Moved, "That Mr. Speaker do now leave the Chair" *July* 8, 967
Amendt. to leave out from "That," and add "having regard to the greatly enhanced price of animal food, this House is not prepared to adopt any measure which may tend further to diminish the supply of cattle from abroad" (*Mr. Torrens*) *v.*; Question proposed, "That the words, &c.;" after long debate, Amendt. withdrawn
Main Question, "That Mr. Speaker, &c.," put, and agreed to; Committee—R.P.
Question, Mr. W. E. Forster; Answer, Sir Henry Selwin-Ibbetson *July* 9, 1070
Treaty Obligations, Questions, Mr. Mundella; Mr. Gorst; Answers, The Chancellor of the Exchequer *July* 16, 1577
Salaries, Compensations, &c., Order for Committee read; Moved, "That Mr. Speaker do now leave the Chair" *July* 16, 1582
After short debate, Moved, "That the Debate be now adjourned" (*Mr. Chamberlain*); after further short debate, Question put; A. 109, N. 205; M. 96 (D. L. 214)
Question again proposed, "That Mr. Speaker, &c.," 1591

[*cont.*

Contagious Diseases (Animals) Bill—cont.
Amendt. to leave out from "That," and add "no Resolution will be satisfactory which does not admit of the consideration of the claims for compensation which may be preferred by other persons and bodies than the owners of cattle, and of providing other means of paying such claims than out of the local rates and moneys to be provided by Parliament" (*Mr. Mundella*) *v.*; Question proposed, "That the words, &c.;" after short debate, Question put; A. 196, N. 126; M. 70 (D. L. 215)
Main Question proposed, "That Mr. Speaker, &c.," 1599
Moved, "That this House do now adjourn" (*Dr. Lush*); after short debate, Question put; A. 57, N. 130; M. 73 (D. L. 216)
Main Question again proposed "That Mr. Speaker, &c.," 1607; after short debate, original Motion withdrawn; order for Committee discharged
Bill considered in Committee, 1608; Committee—R.P.
Salaries, Compensations, &c., considered in Committee *July* 17, 1687
Resolved, That it is expedient to authorize the payment, out of moneys to be provided by Parliament, of Salaries and Allowances of Officers and persons acting in the Veterinary Department of Her Majesty's Privy Council Office; and of the Charges and expenses incurred in the maintenance and management of that Department; also to authorize the payment of Compensations, whether out of moneys to be provided by Parliament, or otherwise, which may become payable under the provisions of any Act of the present Session for making better provision respecting Contagious and Infectious Diseases of Cattle and other Animals
Resolution to be reported
Moved, "That the Report be received To-morrow"
After short debate, Moved, "That this House do now adjourn" (*Sir Charles W. Dilke*); after debate, Motion withdrawn
Original Question put; Ordered, That the Report be received To-morrow
Committee—R.P. *July* 17, 1697
Committee—R.P. *July* 18, 1854
Committee—R.P. *July* 19, 1974
Committee—R.P. *July* 22, 2064

Conway Bridge (Composition of Debt) Bill (*The Lord President*)
l. Read 2^{a}, after short debate *July* 1, 485
Committee * *July* 2 (No. 111)
Report * *July* 4
Read 3^{a} * *July* 5
Royal Assent *July* 22 [41 & 42 *Vict.* c. clxvi]

Coope, Mr. O. E., *Middlesex*
Epping Forest, 3R. 775
Highways, Comm. *cl.* 11, Amendt. 475, 477, 478; *cl.* 20, Amendt. 900

Corrib (Galway) River Bill [H.L.]
(*The Lord President*)
l. Bill withdrawn * *June* 28 (No. 113)

Corrib (Galway) River Bill
(*Sir Henry Selwin-Ibbetson, Mr. James Lowther*)
c. Read 2°, and committed to a Select Committee of Five Members, Three to be nominated by the House, and Two by the Committee of Selection *July* 4, 843 [Bill 225]
Committee nominated * *July* 9
Report of Select Comm.* *July* 16 [No. 265]
Committee * (*on re-comm.*); Report *July* 17
Read 3° * *July* 18 [Bill 265]
l. Read 1^{a} * (*The Lord President*) *July* 19 (No. 166)

Corry, Mr. J. P., *Belfast*
Belfast, Disturbances at—The Military, 1241
Belfast Improvement, Lords Amendts. Consid. 1063, 1067, 1068, 1069
Intermediate Education (Ireland), 2R. 1512

Cottesloe, Lord
Railway Accidents, 1330
Railways—Sir Francis Goldsmid, Fatal Accident to, 312

Cotton, Mr. Alderman W. J. R., *London*
Contagious Diseases (Animals), Comm. *cl.* 9, 1731, 1735, 1743, 1749, 1751
Metropolis — Islington and Deptford Cattle Markets, 1851
Tenant Right (Ireland), Consid. Amendt. 1049
Valuation of Property, Comm. *cl.* 8, 56

County Courts Jurisdiction Bill
(*Mr. Norwood, Mr. Sampson Lloyd, Mr. Watkin Williams, Mr. Waddy*)
c. Report of Select Comm.* *July* 5 [No. 267]

County Courts Jurisdiction (No 2) Bill
(*Sir Eardley Wilmot, Mr. Forsyth*)
c. Report of Select Comm * *July* 5

County Courts Jurisdiction (No. 3) Bill
(*Mr. Watkin Williams, Mr. Sampson Lloyd, Mr. Joseph Cowen*)
c. Ordered; read 1° * *July* 3 [Bill 239]

County Courts (Procedure) Bill
(*Mr. Rowley Hill, Mr. Clive, Mr. Joseph Cowen*)
c. Report of Select Comm.* *July* 5

County Government Bill
(*Mr. Sclater-Booth, Mr. Secretary Cross, Mr. Chancellor of the Exchequer*)
c. Bill withdrawn * *July* 15 [Bill 93]

County of Hertford and Liberty of Saint Alban Act (1874) Amendment Bill
(*Mr. Abel Smith, Mr. Cowper, Mr. Halsey*)
c. Read 2° * *June* 24 [Bill 203]
Referred to Select Comm.* *June* 25
Committee nominated * *June* 27
Report of Select Comm * *July* 4
Committee* (*on re-comm*); Report *July* 8
Read 3° * *July* 9 [Bill 240]
l. Read 1^{a}* (*Earl Cowper*) *July* 11 (No. 154)
Read 2^{a} * *July* 18
Report * *July* 19

Courtney, Mr. L. H., *Liskeard*
Contagious Diseases (Animals) [Salaries, Compensations, &c.], Comm. 1600
Idiots, &c. (Ireland), Comm. *cl.* 6, 582
Intermediate Education (Ireland), 2R. 1534
Metropolitan Board of Works (Money), Comm. *cl.* 17, 1939
Poor Law Amendment Act (1876) Amendment, Lords Amendts. Consid. 1047
South Africa—Transvaal Territory, 325, 2060
Truro Chapter, 2R. Motion for Adjournment, 845

Cowan, Mr. J., *Edinburgh*
Roads and Bridges (Scotland), Consid. *add. cl.* 630

Cowen, Mr. J., *Newcastle-on-Tyne*
Contagious Diseases (Animals), 2R. 528, 530; Comm. *cl.* 2, 1721; *cl.* 16, 1888
Contagious Diseases (Animals) [Salaries, Compensations, &c.], Comm. 1583, 1587, 1598, 1606, 1693
Mining Disasters, Res. 83
Parliament—Public Business, 132
Prison Discipline (Ireland), 1845

Cranbrook, Viscount
Army—Artillery—Muzzle-loading and Breech-loading Rifled Guns, Motion for Returns, 1329
Army (India)—Indian Staff Corps, 1452
Eastern Question—Congress—Correspondence and Protocols, 1826, 1828
  Convention between England and Turkey, 1574
India, Famine in, 2034, 2036
India—Jaghire of Bungana Pally, Motion for an Address, 1219
Navy—H.M.S. "Eurydice," 1575
Poor Law Amendment Act (1876) Amendment, Commons Amendts. Consid. 1438

Criminal Code (Indictable Offences) Bill
Questions, Mr. Morgan Lloyd, Mr. Rathbone; Answers, The Chancellor of the Exchequer, The Attorney General *July* 4, 762; Question, Lord Selborne; Answer, The Lord Chancellor *July* 8, 950; Questions, Sir Henry James; Answers, The Chancellor of the Exchequer *July* 11, 1235; *July* 15, 1464
Burglars with Housebreaking Implements—Definition of "Night," Question, Mr. O'Donnell; Answer, The Attorney General *July* 19, 1970

Criminal Law
Miscellaneous Questions
Case of Ellen Heeson, Question, Mr. P. A. Taylor; Answer, Mr. Assheton Cross *June* 25, 210
Case of Phœbe Newton, Question, Mr. H. B. Sheridan; Answer, Mr. Assheton Cross *July* 2, 587
Reformatory Schools, Question, Mr. Paget; Answer, Mr. Assheton Cross *July* 22, 2052
The Betting Acts—The Advertisement Clauses, Question, Mr. Anderson; Answer, Mr. Assheton Cross *July* 15, 1472

Cross, Right Hon. R. A. (Secretary of State for the Home Department), *Lancashire, S.W.*
Artizans Dwellings Act, 1875—Operation in Ireland, 1335
Bishoprics, 2R. 1026, 1029
Christ's Hospital—Commission of Inquiry, 124
Church of England—Queen Anne's Bounty Board, 2051
City Parochial Charities—The Commission, 327
Contagious Diseases (Animals), Comm. 998, 1019
Contagious Diseases (Animals) [Salaries, Compensations, &c.], Comm. 1608, 1696
Criminal Law—Miscellaneous Questions
  Betting Acts—Advertisement Clauses, 1472
  Ellen Heeson, Case of, 210
  Phœbe Newton, Case of, 587
  Reformatory Schools, 2052
Eastern Question—Congress at Berlin—Papers, 1245
  Rumoured Convention between England and Turkey, 965, 966
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German Empire—The Netherlands, 1469
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  Halifax Bench of Magistrates, 492
  Jurymen, Fines on, 1236
  Prison Discipline—Personal Search, 1847
  Queen *v.* Castro, 20
Licensing Laws Amendment, 1576
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Mines Regulation Act, 1872—Explosion in Mines, 326;—Clause 32, 1970
Mining Disasters, Res. 87
Municipal Elections—Carlisle, 2052
National Gallery, 796
Parliament—Business of the House, 331, 1246, 1336
Parliamentary and Municipal Elections—Ballot Act, 322
Parochial Charities of London, 1244;—Royal Commission, 1852
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Prison Discipline (Ireland), 1845
Roads and Bridges (Scotland), Consid. 605; *cl.* 3, 644; *cl.* 42, 652; *cl.* 88, 837, 838, 840
Sale of Intoxicating Liquors on Sunday (Ireland), Consid. *add. cl.* 1299; *cl.* 1, 1309, 1313; *cl.* 2, 1317
Sergeant M'Carthy, Case of, Motion for an Address, 1420
Tenant Right (Ireland), Consid. *cl.* 2, 949
Truro Chapter, 2R. 844
Turkey—Asiatic Dominions of the Sultan, 1469, 1470
Valuation of Lands (Scotland) Amendment, Comm. 1945, 1947

Customs Re-organization
Question, Mr. Harcourt; Answer, Sir Henry Selwin-Ibbetson *June* 27, 322

Cyprus, Island of—see title *Turkey—The Eastern Question*

Dalrymple, Mr. C., *Buteshire*
Education Department—Promotions, 1579

Davie, Sir H. R. F., *Haddington*
Roads and Bridges (Scotland), Consid. *add. cl.* 628

Davies, Mr. D., *Cardigan*
Contagious Diseases (Animals), Comm. *cl.* 55, 2122
Elementary Education Code—Natural Science, Res. 784
Highways, Comm. *cl.* 18, 890
Removal of Paupers, Res. 682

Debtors Acts Amendment Bill
(*Mr. Marten, Mr. Osborne Morgan, Sir Henry Jackson*)
c. Committee *; Report *July* 10 [Bill 104]
Read 3° * *July* 16
l. Read 1ª * (*The Lord Foxford*) *July* 18 (No. 163)

Delahunty, Mr. J., *Waterford Co.*
Removal of Paupers, Res. 683

De La Warr, Earl
London and North-Western Railway (Additional Powers), 3R. Amendt. 737
Public Health Act (1875) Amendment, Report, 1; 3R. Amendt. 205
Vivisection, Address for Papers, 753, 755

Denison, Mr. C. Beckett-, *Yorkshire, W.R., E. Div.*
Admiralty and War Office (Retirement of Officers), Comm. *cl.* 1, 1377
Parliament—Progress of Public Business, Res. 1478

Dental Practitioners Bill
(*The Marquess of Lansdowne*)
l. Read 2ª *June* 27, 299 (No. 123)
Committee*; Report *June* 28 (No. 140)
Committee (*on re-comm.*); Report *July* 4, 743
Read 3ª * *July* 5
Royal Assent *July* 22 [41 & 42 *Vict.* c. 33]

Derby, Earl of
Eastern Question—Congress—Correspondence and Protocols, 1787, 1809, 1814

Devon, Earl of
Truro Chapter, Comm. *cl.* 10, 119

Dickson, Mr. T. A., *Dungannon*
Intermediate Education (Ireland), 2R. 1536
Tenant Right (Ireland), Consid. *cl.* 2, 946

Dilke, Sir C. W., *Chelsea, &c.*
Cattle Disease—Importation of Foreign Cattle, 960
Contagious Diseases (Animals), Comm. *cl.* 2, Amendt. 1608, 1630; Motion for reporting Progress, 1675; *cl.* 5, 1725; *cl.* 9, Amendt. 1726, 1732, 1739, 1741, 1742, 1749, 1752; *cl.* 10, 1860; *cl.* 15, 1871; *cl.* 22, 2004; *cl.* 29, Amendt. 2011, 2014, 2016; *cl.* 30, Amendt. 2071, 2074, 2077, 2078, 2080; *cl.* 31, Amendt. *ib.*, 2081; *cl.* 54, Amendt. 2093; Amendt. *ib.*, 2094; Amendt. *ib.*, 2095; *cl.* 55, 2131; *cl.* 64, Motion for reporting Progress, 2141, 2143
Contagious Diseases (Animals) [Salaries, Compensations, &c.], Comm. 1583, 1593, 1605; Motion for Adjournment, 1687
Eastern Question—Convention with Turkey—Money Vote, 1335, 1336
Education—Inspectors of Elementary Schools, 826
Epping Forest, Comm. 573; 3R. 769
Highways, Comm. *cl.* 11, 475, 476, 477; *cl.* 20, 1080
Metropolis — Islington and Deptford Cattle Markets, 1851
Municipal Corporations Acts, 2R. 1031
Municipal Corporations Commission — Lostwithiel, 762
Parliament —Public Business—Kew Gardens, 1464
Parliament — Public Business, Select Committee on, 1238
Parliament—Progress of Public Business, Res. 1477
Parliamentary and Municipal Elections—Ballot Act, 322
Post Office—Money Order Department—Boy Clerks, 1969
Public Health (Metropolis)—Deaths from Small Pox in London, 588

Dillwyn, Mr. L. L., *Swansea*
Bishoprics, 2R. Amendt. 1027
Contagious Diseases (Animals), Comm. *cl.* 55, 2134; *cl.* 64, 2144
Contagious Diseases (Animals) [Salaries, Compensations, &c.], Comm. 1582, 1600, 1688
Eastern Question—Convention between England and Turkey, 1579
Ecclesiastical Buildings (Fire Insurance), Comm. 581
Education—Inspectors of Elementary Schools, 825
Freshwater Fish Protection, Comm. *cl.* 11, 1036
Highways, Comm. *cl.* 18, 892; *add. cl.* 1160; Motion for reporting Progress, 1161, 1162
Municipal Corporations Acts, 2R. 1031
Parliament—Order of Business, 764, 1071
Public Business, Arrangement of, 499, 1246
Public Health Act (1875) Amendment, Lords Amendts. Consid. 580
Supply—Commissioners of Charitable Donations, &c. for Ireland, Motion for reporting Progress, 1550
Tenant Right (Ireland), Consid. *cl.* 2, Motion for Adjournment, 1048
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DILLWYN, Mr. L. L.—*cont.*
Valuation of Lands (Scotland) Amendment, Comm. 1943
Valuation of Property, Comm. *cl.* 8, 53
Weights and Measures, Comm. *cl.* 43, 411

DODDS, Mr. J., *Stockton*
Freshwater Fish Protection, Comm. *cl.* 7, 1035

DODSON, Right Hon. J. G., *Chester*
Contagious Diseases (Animals), 2R. 504, 511; Comm. *cl.* 9, 1749; *cl.* 15, 1883; *cl.* 22, 1930, 1932; *cl.* 29, 2016
Highways, Comm. *cl.* 18, Amendt. 891; *cl.* 20, 899, 900

DONOUGHMORE, Earl of
Weights and Measures, 2R. 2040

DOWNING, Mr. M'Carthy, *Cork Co.*
Contagious Diseases, (Animals), Comm. *cl.* 55, 2110, 2118, 2120, 2122, 2129
Irish Land Act (1870), Res. Amendt. 1141
Landed Estates Court (Ireland) Leases, 2R. 730
Removal of Paupers, Res. 653, 670, 685, 686
Sale of Intoxicating Liquors on Sunday (Ireland), Consid. 1280; *add. cl.* 1300; *cl.* 1, Amendt. 1303, 1309

Drainage and Improvement of Land (Ireland) Bill
(*The O'Conor Don, Mr. Bruen, Mr. Gray, Mr. MacCarthy*)
c. Motion for Leave (*The O'Conor Don*) *June* 24, 201; Motion agreed to; Bill ordered; read 1° * [Bill 227]
Read 2° * *July* 5
Committee *; Report *July* 15
Considered * *July* 17
Read 3° * *July* 22

Dublin, Wicklow, and Wexford Railway
Question, Mr. M. Brooks; Answer, Viscount Sandon *July* 11, 1234

DUFF, Mr. R. W., *Banffshire*
Roads and Bridges (Scotland), Consid. *cl.* 4, Amendt. 644
Valuation of Lands (Scotland) Amendment, Comm. Motion for reporting Progress, 1941, 1944, 1946

DUNDAS, Hon. J. C., *Richmond*
Highways, Comm. *add. cl.* 1344, 1349

DUNSANY, Lord
Eastern Question—Convention between England and Turkey, 1572
Intermediate Education (Ireland), 2R. 440
Poor Law Amendment Act (1876) Amendment, 3R. 306

EARP, Mr. T., *Newark*
Contagious Diseases (Animals), Comm. *cl.* 16, 1902

East London Railway (Payment of Debts) Bill (by Order)
c. Read 2°, after short debate *July* 11, 1227
Ordered, That the Bill be referred to a Select Committee, Three to be nominated by the House, and Two by the Committee of Selection *July* 16
Committee nominated *July* 17

East Retford Borough Bill (by Order)
c. Lords Amendts. considered * *July* 8

Ecclesiastical Buildings (Fire Insurance) Bill
(*Mr. Leighton, Mr. Goldney, Mr. Whitwell*)
c. Report of Select Comm.* *June* 28 [No. 253]
Order for Committee (*on re-comm.*) read; Moved, "That Mr. Speaker do now leave the Chair" *July* 1, 580; after short debate, Debate adjourned

Ecclesiastical Commissioners, The—Case of Mr. Armstrong
Observations, The Earl of Sandwich, The Earl of Chichester; Reply, The Duke of Richmond and Gordon *July* 4, 744

EDUCATION
MISCELLANEOUS QUESTIONS
Inspectors of Elementary Schools, Observations, Mr. Rathbone; Reply, Lord George Hamilton; short debate thereon *July* 4, 822
School Board Schools and Savings Banks, Observations, Mr. Pell *July* 4, 820

Education Department
Promotions, Question, Mr. Dalrymple; Answer, Lord George Hamilton *July* 16, 1579
School Fees, Question, Mr. Pell; Answer, Lord George Hamilton *July* 4, 761
The Education Minute, 1876—"*Unnecessary Schools*," Question, Mr. Pease; Answer, Lord George Hamilton *July* 16, 1576
The Education Minute, 1878—*New Schools*, Question, Mr. W. E. Forster; Answer, Lord George Hamilton *June* 24, 125
The New Code for 1878—*Attendances*, Observations, Mr. Chamberlain *July* 4, 811

Education Code — Elementary Natural Science
Amendt. on Committee of Supply *July* 4, To leave out from "That," and add "it would be desirable to modify the Code of Education by adding Elementary Natural Science to the subjects mentioned in Article 19, c. 1" (*Sir John Lubbock*) *v.*, 777; Question proposed, "That the words, &c.;" after debate, Question put; A. 68, N. 37; M. 31 (D. L. 195)

Egerton, Hon. A. F. (Secretary to the Board of Admiralty), *Lancashire, S.E.*
  Admiralty—Accountant General of the Navy, 855
  Admiralty and War Office (Retirement of Officers), Comm. *cl.* 1, 1377
  Highways, Comm. *add. cl.* 1339
  Navy—Training Ships (Ireland), 450
  Turkey—Cyprus, Occupation of, 1243

Egerton, Hon. Wilbraham, *Cheshire, Mid.*
  Contagious Diseases (Animals), 2R. 170; Comm. *cl.* 55, 2120
  Highways, Comm. *cl.* 7, 471; *cl.* 20, 1080; Amendt. 1081; *add. cl.* 1156

Elcho, Lord, *Haddingtonshire*
  Contagious Diseases (Animals), Comm. *cl.* 2, 1717; *cl.* 22, 2002; *cl.* 55, 2100, 2129
  Mining Disasters, Res. 86

Elders Widows' Fund Bill
(*Mr. Edward Stanhope, Lord George Hamilton*)
c. Ordered; read 1°* *June* 24 [Bill 226]
  2R. deferred *June* 27, 413

Elementary Education Provisional Order Confirmation (London) Bill [H.L.]
(*Lord George Hamilton*)
c. Committee*; Report *June* 25 [Bill 201]
  Read 3°* *June* 28
l. Royal Assent *July* 4 [41 & 42 *Vict.* c. cxi]

Elementary Education Provisional Order Confirmation (Portsmouth) Bill
(*The Lord President*)
l. Royal Assent *July* 4 [41 & 42 *Vict.* c. cvii]

Elementary Education Provisional Orders Confirmation (Birmingham, &c.) Bill [H.L.] (*The Lord President*)
l. Royal Assent *July* 4 [41 & 42 *Vict.* c. cx]

Elliot, Sir G. *Durham, N.*
  Mining Disasters, Res. 75

Elliot, Mr. G. W., *Northallerton*
  Contagious Diseases (Animals), 2R. 532

Emly, Lord
  Intermediate Education (Ireland), 2R. 435

Endowed Schools (Scotland) Bill — The Commissioners
  Question, Mr. C. S. Parker; Answer, Mr. Assheton Cross *June* 24, 132

Entail Amendment (Scotland) Bill [H.L.]
(*The Lord Advocate*)
c. Read 2°* *June* 27 [Bill 158]
  Committee*; Report *July* 1
  Read 3°* *July* 2
l. Royal Assent *July* 22 [41 & 42 *Vict.* c. 28]

Epping Forest Bill
(*Sir Henry Selwin-Ibbetson, Mr. Noel*)
c. Report of Select Comm.* *June* 26 [No. 248]
  Committee (*on re-comm.*); Report *July* 1, 573 [Bill 228]
  Moved, "That the Bill be now read 3°" *July* 4, 766
  Amendt. to leave out from "be," and add "re-committed, in order to insert an Amendment in Clause 30, to provide for the representation of the Metropolitan Board of Works on the Committee of Management" (*Mr. Fawcett*) *v.*; Question proposed, "That the words, &c.;" after short debate, Question put; A. 209, N. 49; M. 160 (D. L. 194)
  Main Question put, and agreed to; Bill read 3° (Queen's Consent signified), and passed
l. Read 1ª* (*The Lord President*) *July* 5
  Read 2ª *July* 11, 1201 (No. 144)
  Referred to a Select Committee*; Committee nominated *July* 16
  Report of Select Comm.* *July* 19
  Bill reported* *July* 19 (No. 164)

Errington, Mr. G., *Longford Co.*
  Intermediate Education (Ireland), 2R. 1531
  Ireland—Riots at Belfast, 498
  Irish Church Act (1869) Amendment (No. 2), 2R. Motion for Adjournment, 1570, 1571
  Irish Land Act (1870), Res. 1112, 1152
  Medical Act (1858) Amendment (No. 2), 100
  Medical Reform—Bills before Parliament, 759
  Tenant Right (Ireland), Consid. *cl.* 2, 946

Estcourt, Mr. G. B. S., *Wiltshire, N.*
  Highways, Comm. *add. cl.* 1341, 1344

Evans, Mr. T. W., *Derbyshire, S.*
  Contagious Diseases (Animals), Comm. *cl.* 22, 1983; *cl.* 30, 2076; *cl.* 55, 2125

Exchequer, Chancellor of the (*see* Chancellor of the Exchequer)

Fawcett, Mr. H., *Hackney*
  City Parochial Charities — The Commission, 327
  Contagious Diseases (Animals), Comm. *cl.* 2, 1721, 1723
  Epping Forest, 3R. Amendt. 766, 771
  Freshwater Fish Protection, Comm. 1031; *cl.* 7, 1034, 1035; *cl.* 11, Amendt. *ib.*, 1036; *add. cl.* 1037
  India—Vernacular Press Act, 1241
  Indian Budget, 1467
  Parliament—Order of Business, 764, 1071
  Parliament—Progress of Public Business, Res. 1477
  Parochial Charities of London, 1244;—Royal Commission, 1852
  Poor Law Amendment Act (1876) Amendment, Lords Amendts. Consid. 941, 942
  Real Estate Intestacy, 2R. 1183, 1189

FAY, Mr. C. J., *Cavan Co.*
Irish Church Act (1869) Amendment (No. 2), 2R. 1571
Landed Estates Court (Ireland) Leases, 2R. 728

FLOYER, Mr. J., *Dorsetshire*
Highways, Comm. *cl.* 18, 887; *add. cl.* 1347
Valuation of Property, Comm. *cl.* 8, 55

FORBES, Lord
Poor Law Amendment Act (1876) Amendment, 3R. 304
Vivisection, Address for Papers, 755

Foreign Jurisdiction Bill [H.L.]
(*The Lord Chancellor*)
l. Presented; read 1ª* *July* 8 (No. 147)
Read 2ª* *July* 11
Committee*; Report *July* 12
Read 3ª* *July* 15
c. Read 1º* (*Mr. Attorney General*) *July* 19 [Bill 267]

Foreign Office, The
Abstraction of a Document—The Memorandum of Agreement between England and Russia, Question, Observations, Earl Granville; Reply, The Duke of Richmond and Gordon; short debate thereon *July* 1, 480; Question, Mr. Childers; Answer, Mr. Bourke *July* 22, 2058
Temporary Writers, Questions, Sir Joseph M'Kenna, Mr. Childers, Sir H. Drummond Wolff; Answers, Mr. Bourke *July* 1, 494; Question, Mr. Childers; Answer, Mr. Bourke *July* 4, 757

FORSTER, Sir C., *Walsall*
Poor Law Amendment Act (1876) Amendment, Lords Amendts. Consid. 942, 1042

FORSTER, Right Hon. W. E., *Bradford*
Cattle Disease—Importation of Foreign Cattle, 961, 962
Christ's Hospital — Commission of Inquiry, 124
Contagious Diseases (Animals), 2R. Amendt. 145, 225, 242, 250, 350, 565; Comm. 976, 977, 990, 1026, 1070; *cl.* 2, 1609, 1610, 1658, 1713, 1718; *cl.* 3, 1725; *cl.* 9, 1734, 1741, 1742, 1746, 1752; *cl.* 10, 1861; *cl.* 15, 1879; *cl.* 16, 1893, 1895, 1899, 1900, 1905; *cl.* 21, 1917, 1919, 1922, 1923; *cl.* 22, 1925, 1931; Motion for reporting Progress, 1935, 1977, 1989, 1990, 2002, 2003, 2004, 2005; *cl.* 24, 2008; *cl.* 29, 2016; *cl.* 30, 2069, 2074, 2075, 2078, 2079; *cl.* 31, 2081; *cl.* 33, Amendt. 2084; *cl.* 34, 2085; *cl.* 53, 2091, 2092; *cl.* 54, 2095; *cl.* 55, 2096, 2117, 2135; *cl.* 64, 2144, 2145
Contagious Diseases (Animals) [Salaries, Compensations, &c.], Comm. 1584, 1587, 1593, 1600, 1607, 1687, 1688, 1689, 1697
Eastern Question—Congress at Berlin—Papers, 1245
Convention between England and Turkey, 1069

[*cont.*

FORSTER, Right Hon. W. E.—*cont.*
Education—Inspectors of Elementary Schools, 825
Education Minute, 1878—New Schools, 125
Elementary Education Code—Natural Science, Res. 788
Paris Exhibition—English Cattle, 330
Parliament—Business of the House, 330
Spain and China—Emigration Treaty, 1468
Turkey—Slavery and the Slave Trade, 1247, 1248

FORTESCUE, Earl
Metropolis—Hyde Park—Shelters, 955
Poor Law Amendment Act (1876) Amendment, Comm. 107; *cl.* 1, Amendt. 114, 116, 117; 3R. 304; Re-comm. *cl.* 1, Amendt. 307, 310; Commons Amendts. Consid. 1437
Weights and Measures, 2R. 2042

FRENCH, Hon. C., *Roscommon*
Contagious Diseases (Animals), Comm. *cl.* 55, 2101, 2103, 2106, 2122
Landed Estates Court (Ireland) Leases, 2R. 724, 734
Removal of Paupers, 324; Res. 676

FRESHFIELD, Mr. C. K., *Dover*
Highways, Comm. *add. cl.* 1364

Freshwater Fish Protection Bill
(*Mr. Mundella, Mr. James Duff, Mr. Michael Bass, Mr. Spencer Stanhope*)
c. Report of Select Comm.* *July* 2 [No. 261]
Order for Committee (*on re-comm.*) read; Moved, "That Mr. Speaker do now leave the Chair" *July* 8, 1031; after short debate, Question put, and agreed to; Committee; Report [Bills 131-235]
Read 3º* *July* 9
l. Read 1ª* (*The Earl of Morley*) *July* 11
Read 2ª *July* 22, 2036 (No. 155)

GARNIER, Mr. J. CARPENTER-, *Devon, S.*
Highways, Comm. *cl.* 11, 868

General Police and Improvement Provisional Order (Paisley) Bill
(*The Lord Steward*)
l. Royal Assent *July* 4 [41 & 42 *Vict.* c. ciii]

General Police and Improvement (Scotland) Act, 1862, Amendment Bill
(*The Earl of Rosebery*)
l. Read 2ª *July* 4, 744 (No. 124)
Committee* *July* 5
Report* *July* 8
Read 3ª* *July* 9
Royal Assent *July* 22 [41 & 42 *Vict.* c. 30]

German Empire, The—The Netherlands
Question, Lord Robert Montagu; Answer, Mr. Assheton Cross *July* 15, 1469

Gibson, Right Hon. E., (Attorney General for Ireland), *Dublin University*
Landed Estates Court (Ireland) Leases, 2R. 731
Parliament—Business of the House, 450
Public Health (Ireland), 3R. 199
Public Works Loans (Ireland) Act (1877) Amendment, Comm. 200
Sale of Intoxicating Liquors on Sunday (Ireland), Consid. *cl.* 2, 1316
Tenant Right (Ireland), Consid. *cl.* 2, 1049

Giffard, Sir H. S. (see Solicitor General, The)

Giles, Mr. A., *Southampton*
Contagious Diseases (Animals), 2R. 363
Contagious Diseases (Animals) [Salaries, Compensations, &c.], Comm. 1605

Gilpin, Colonel Sir R. T., *Bedfordshire*
Contagious Diseases (Animals), 2R. 366

Gladstone, Right Hon. W. E., *Greenwich*
Contagious Diseases (Animals), Comm. *cl.* 2, 1667
Contagious Diseases (Animals) [Salaries, Compensations, &c.], Comm. 1689
Eastern Question—Rumoured Convention between England and Turkey, 966
Intermediate Education (Ireland), 2R. 1497
Parliament—Progress of Public Business, Res. 1474

Gold and Silver Hall Marking
Moved, "That the Select Committee on Gold and Silver Hall Marking do consist of Twenty Members" (*Major Nolan*) *June* 24, 201; after short debate, Motion agreed to; Sir Joseph M'Kenna added

Goldney, Mr. G., *Chippenham*
Contagious Diseases (Animals), Comm. *cl.* 16, 1892, 1901; *cl.* 22, 1994; *cl.* 59, 2137
Contagious Diseases (Animals) [Salaries, Compensations, &c.], Comm. 1604
Highways, Comm. *cl.* 18, 893; *cl.* 20, 1080

Goldsmid, Sir J., *Rochester*
Highways, Comm. 455; *cl.* 11, 872; *cl.* 18, 887, 889; Amendt. 894, 896; *cl.* 20, 901, 1078, 1082, 1083; *cl.* 21, 1087, 1089, 1090, 1091; *cl.* 22, 1095, 1096; *cl.* 23, 1098; *cl.* 24, 1100, 1101; *cl.* 25, 1102; *add. cl.* 1357, 1360
Sale of Intoxicating Liquors on Sunday (Ireland), Consid. 1298
Turkey—Cyprus, Occupation of, 1243
Valuation of Property, Comm. *cl.* 16, 65

Gordon, Sir A., *Aberdeenshire, E.*
Contagious Diseases (Animals), 2R. 358
Permissive Prohibitory Liquor, 2R. 262
Roads and Bridges (Scotland), Consid. *cl.* 3, 643
Turkey—Cyprus, Occupation of, 1243

Gorst, Mr. J. E., *Chatham*
Contagious Diseases (Animals), Comm. *cl.* 2, 1615, 1654; *cl.* 22, 1990; *cl.* 30, 2075, 2078, 2079; *cl.* 55, 2128
Contagious Diseases (Animals) [Salaries, Compensations, &c.], Comm. 1590, 1600
Contagious Diseases (Animals)—Treaty Obligations, 1577
Parliament—Progress of Public Business, Res. 1477

Goschen, Right Hon. G. J., *London*
Cattle Disease—Importation of Foreign Cattle, 961
Eastern Question—Anglo-Turkish Convention—Despatch of May 30, 2062
Epping Forest, Comm. 574; 3R. 769, 774
Parliament—Order of Business, 763
Poor Law Amendment Act (1876) Amendment, 855; Lords Amendts. Consid. 1038, 1042, 1044

Gourley, Mr. E. T., *Sunderland*
Bathing Accidents, Fatal—Scarborough, 1466
Contagious Diseases (Animals), Comm. 997
Municipal Corporations Acts, 2R. Motion for Adjournment, 1030

Grand Jury Law Amendment (Ireland) Bill (*Mr. James Lowther, Mr. Attorney General for Ireland*)
c. Question, Mr. D. Taylor; Answer, Mr. J. Lowther *July* 11, 1240
Bill withdrawn* *July* 11 [Bill 120]

Grant, Mr. A., *Leith*
Roads and Bridges (Scotland), Consid. *add. cl.* 617, 630; *cl.* 3, Amendt. 644

Grantham, Mr. W., *Surrey, E.*
Habitual Drunkards, 2R. 711

Granville, Earl
Cyprus, Island of—Sanitary Condition, 1435
Slavery, 1225, 1948
Eastern Question—Congress at Berlin, 1201, 1426; — Correspondence and Protocols, 1774, 1779, 1809, 1810, 1811
Convention with Turkey, 1050
Foreign Office—Abstraction of a Document—Memorandum of Agreement between England and Russia, 480
Intermediate Education (Ireland), 742, 848
Metropolis—Hyde Park—Shelters, 955
Parliament—House of Lords—Ventilation, 2018
Parliamentary and Municipal Registration (Consolidated), 2R. 485
Poor Law Amendment Act (1876) Amendment, Commons Amendts. Consid. 1439
Roads and Bridges (Scotland), 2R. 1965

Gray, Mr. E. D., *Tipperary*
Galtee Estate, Motion for Returns, 583, 584
Ireland—Science and Art Museum, Dublin, 1467
Public Health Act (1875) Amendment, Lords Amendts. Consid. 580
Supply—Local Government Board in Ireland, 1552, 1554, 1560, 1562, 1563
Turkey—Reported Defensive Treaty with, 952

Greene, Mr. E., *Bury St. Edmunds*
Paris Exhibition—English Cattle, 329
Ritualism, Res. 924

Gregory, Mr. G. B., *Sussex, E.*
Contagious Diseases (Animals), Comm. *cl.* 9, 1749; *cl.* 16, 1898; *cl.* 22, 2004; *cl.* 29, 2012; Amendt. 2015
Highways, Comm. 464; *cl.* 11, 474, 477, 478, 861, 869; *cl.* 18, 884; *cl.* 20, Amendt. 1081, 1083; *cl.* 21, Amendt. 1088; Amendt. 1091; *cl.* 22, Amendt. 1095; *cl.* 24, Amendt. 1099, 1100; *add. cl.* 1362, 1365
Permissive Prohibitory Liquor, 2R. 273
Real Estate Intestacy, 2R. Amendt. 1168

Grey, Earl
Poor Law Amendment Act (1876) Amendment, Comm. 113; 3R. 307

Habitual Drunkards Bill
(*Dr. Cameron, Mr. Clare Read, Mr. Ashley, Sir Henry Jackson, Mr. Edward Jenkins, Mr. William Holms, Mr. Richard Smyth*)
c. Read 2°, after long debate *July* 3, 688 [Bill 27]
Committee*; Report *July* 9 [Bill 250]

Halsey, Mr. T. F., *Herts*
Contagious Diseases (Animals), 2R. 523

Hamilton, Lord G. F. (Vice President of the Committee of Council on Education), *Middlesex*
Austrian Cattle from Spain, Importation of, 493
Cattle Disease—Importation of Foreign Cattle, 960
Education Department—Miscellaneous Questions
  Education Minute, 1876—"Unnecessary Schools," 1577
  Education Minute, 1878—New Schools, 125
  Promotions, 1579
  School Fees, 761
Education—Inspectors of Elementary Schools, 823
Education Report (Scotland), 493
Elementary Education Code—Natural Science, Res, 789, 792
Ireland—Science and Art Museum, Dublin, 1467
Medical Reform—Bills before Parliament, 760
Paris Exhibition—English Cattle, 330
Select Committee on Cattle Plague, 1877—Cattle from Ireland, 124

Hamilton, Mr. B., *Berwickshire*
Roads and Bridges (Scotland), Consid. *add. cl.* 613

Hammond, Lord
Foreign Office—Abstraction of a Document—Memorandum of Agreement between England and Russia, 482

Hampton, Lord
Poor Law Amendment Act (1876) Amendment, Re-comm. *cl.* 1, 309

Hanbury, Mr. R. W., *Tamworth*
Highways, Comm. *cl.* 21, 1092

Hankey, Mr. T., *Peterborough*
Admiralty and War Office (Retirement of Officers), Comm. *cl.* 2, 1386
Highways, Comm. *cl.* 21, 1088, 1089; *cl.* 22, 1094
Metropolitan Board of Works (Money), Comm. *cl.* 14, Amendt. 1936

Harbour Loans
Question, General Sir George Balfour; Answer, Sir Henry Selwin-Ibbetson *July* 1, 489

Harcourt, Sir W. G. V., *Oxford City*
Contagious Diseases (Animals), Comm. 1017; *cl.* 2, 1642, 1705
Contagious Diseases (Animals) [Salaries, Compensations, &c.], Comm. 1602
Customs—Re-organization, 322
Highways, Comm. *cl.* 18, 889, 894
Real Estate Intestacy, 1198, 1199
Valuation of Property, Comm. *cl.* 3, 22

Harcourt, Lt.-Col. E. W., *Oxfordshire*
Contagious Diseases (Animals), 2R. 178, 552, 555

Hardcastle, Mr. E., *Lancashire, S.E.*
Highways, Comm. *cl.* 19, 897

Hardy, Mr. A. Gathorne-, *Canterbury*
Habitual Drunkards, 2R. 718
Permissive Prohibitory Liquor, 2R. 259, 265

Harman, Mr. E. R., King-, *Sligo*
Contagious Diseases (Animals), Comm. 990
Freshwater Fish Protection, Comm. *cl.* 11, 1035
Inland Navigation (Ireland), 1465
Irish Land Act (1870), Res. 1131
Removal of Paupers, Res. 671

Hartington, Right Hon. Marquess of, *New Radnor*
Contagious Diseases (Animals), 2R. 197; Comm. 1023; *cl.* 2, 1677
Contagious Diseases (Animals) [Salaries, Compensations, &c.], Comm. 1604
Eastern Question—Convention between England and Turkey, 965, 966, 1972, 1973
Parliament—Order of Business, 764, 2063, 2064
  Public Business, 132
Parliament—Progress of Public Business, Res. 1472
Turkey—Asiatic Dominions of the Sultan, 1470

Hayter, Colonel A. D., *Bath*
Parliament—Progress of Public Business, Res. 1478
Turkey—Miscellaneous Questions
  Crete and Mitylene, 957
  Crete—Employment of Bashi-Bazouks, 329
  —Insurrection in, 499
  Sultan, Reported Conspiracy against the 1580

Henniker, Lord
Innkeepers, 2R. 1052
Railway Accidents, 1331
Railways—Sir Francis Goldsmid, Accident to, 317
Tramways Orders Confirmation (No. 1), Comm. 1441, 1447
Weights and Measures, 2R. 2038, 2044

Henry, Mr. Mitchell, *Galway Co.*
Contagious Diseases (Animals), 2R. 559; Comm. *cl.* 16, 1886, 1887; *cl.* 21, 1917; *cl.* 55, 2120, 2121, 2123, 2126, 2128, 2133
Peace Preservation (Ireland) Act (1875)—Searches for Arms, 125, 126
Prison Discipline (Ireland), 1845
Prison Discipline—Personal Search, 1846, 1847
Sergeant M'Carthy, Case of, Motion for an Address, 1390, 1414, 1424

Hermon, Mr. E., *Preston*
Contagious Diseases (Animals), 2R. 513; Comm. *cl.* 2, 1707
Highways, Comm. *cl.* 21, Amendt. 1091
National Gallery, 793
Real Estate Intestacy, 2R. 1186

Herschell, Mr. F., *Durham*
Breach of Promise of Marriage, 588
Contagious Diseases (Animals), Comm. *cl.* 2, 1640, 1650, 1724

Hervey, Lord F., *Bury St. Edmunds*
National Gallery, 794

Heygate, Mr. W. U., *Leicestershire, S.*
Irish Land Act (1870), Res. 1132

Hibbert, Mr. J. T., *Oldham*
Highways, Comm. *cl.* 4, 466, 468; *cl.* 7, 472; *cl.* 9, *ib.*; *cl.* 11, Amendt. 474, 475, 478, 868, 876; *cl.* 31, 1108; *add. cl.* 1366
Municipal Corporations Acts, 2R. 1030
Poor Law Amendment Act (1876) Amendment, Lords Amendts. Consid. 1040
Removal of Paupers, Res. 674
Valuation of Property, Comm. *cl.* 8, 55; *cl.* 11, Amendt. 60; *cl.* 16, 62, 65

Highways Bill (*Mr. Sclater-Booth, Mr. Salt*)
c. *Bicycles on Highways*, Question, Sir George Jenkinson; Answer, Mr. Sclater-Booth *June* 27, 324
Order for Committee (*on re-comm.*) read; Moved, "That Mr. Speaker do now leave the Chair" *June* 28, 450
Amendt. to leave out from "That," and add "this House regrets to find in the Highways Bill, as now proposed to be re-committed, no adequate provision for obtaining from those classes whose traffic most conduces to the wear and tear of the main roads in England and Wales, some proportionate contribution towards the maintenance of such roads; and that, in the opinion of this House, no settlement of this question can be final or complete which does not include such provision" (*Mr. Reginald Yorke*) *v.*; Question proposed, "That the words, &c.;" after debate, Question put; A. 256, N. 47; M. 209 (D. L. 189)
Main Question, "That Mr. Speaker, &c.," put, and agreed to; Committee—R.P. [Bill 214]
Committee—R.P. *July* 5, 857
Committee—R.P. *July* 9, 1078
Committee—R.P. *July* 9, 1153
Question, Mr. Thornhill; Answer, Mr. Sclater-Booth *July* 11, 1241
Committee; Report *July* 12, 1337 [Bill 261]

Highways (South Wales) Bill
(*Earl Cawdor*)
l. Read 2ª* *June* 25 (No. 98)
Committee* *June* 27
Report* *June* 28
Read 3ª* *July* 1
Royal Assent *July* 22 [41 & 42 *Vict.* c. 34]

Hogg, Sir J. M'Garel-, *Truro*
Contagious Diseases (Animals), Comm. *cl.* 9, 1740; *cl.* 21, Amendt. 1920, 1921; *cl.* 32, Amendt. 2082, 2083; *cl.* 44, Amendt. 2089
Epping Forest, 3R. 722
Highways, Comm. *cl.* 29, Amendt. 1103
Metropolis—Euston Square—The Gardens, 126
Metropolitan Board of Works (Money), Comm. *cl.* 14, 1937, 1939
Monuments Metropolis, Lords Amendts. Consid. 736

Holker, Sir J. (*see* Attorney General, The)

Holms, Mr. J., *Hackney*
Contagious Diseases (Animals), 2R. 226; Comm. *cl.* 2, Motion for Adjournment, 1676
Turkey—Free Trade, 1468

Home, Captain D. Milne, *Berwick*
Roads and Bridges (Scotland), Consid. *add. cl.* Amendt. 616

Hope, Mr. A. J. B. Beresford, *Cambridge University*
Highways, Comm. *cl.* 22, 1096
Real Estate Intestacy, 2R. 1170
Ritualism, Res. 927

Hopwood, Mr. C. H., *Stockport*
Contagious Diseases (Animals), Comm. 1013
Dog Licenses, 323
Epping Forest, 3R. 776

Howard, Mr. E. S., *Cumberland, E.*
Contagious Diseases (Animals), 2R. 235; Comm. *cl.* 26, Amendt. 2009; *cl.* 37, Amendt. 2086

Hubbard, Right Hon. J. G., *London*
Valuation of Property, Comm. *cl.* 2, 21

HUBBARD, Mr. E., *Buckingham*
Taxation (Ireland)—Volunteer Force, 130

HUTCHINSON, Mr. J. D., *Halifax*
Contagious Diseases (Animals), Comm. 999
Law and Justice—Halifax Bench of Magistrates, 492

Hypothec (Scotland)
Moved, "That, in the opinion of this House, the landlord's right of Hypothec for the rent of land in Scotland is detrimental to the interests of tenant farmers, and unnecessary to protect those of landlords, and ought to be abolished, due provision being made to secure the rights of parties under existing contracts" (*Mr. Vans Agnew*) *June* 25, 250
[House counted out]

Hypothec (Scotland) Bill (*Mr. Agnew, Mr. Baillie Hamilton, Sir George Douglas*)
c. Bill withdrawn* *June* 24 [Bill 29]

Hypothec (Scotland) (No. 3) Bill
(*Sir George Balfour, Lord Douglas Gordon, Mr. Laing, Mr. James Barclay*)
c. Bill withdrawn* *June* 24 [Bill 101]

Idiots, &c. (Ireland) Bill (*Mr. Arthur Moore, Mr. Meldon, Mr. O'Shaughnessy*)
c. Read 2°, after short debate *June* 24, 200
Committee; Report *July* 1, 581 [Bill 149]
Considered *July* 4, 845
Read 3°* *July* 5
l. Read 1ª* (*Lord Carlingford*) *July* 8 (No. 148)

Ilen Valley Railway Bill (by Order)
c. Read 2°* *June* 27

INCHIQUIN, Lord
Intermediate Education (Ireland), 2R. 443

Inclosure Provisional Order (Llanfair Waterdine) Bill
(*The Lord Steward*)
l. Report of Select Comm.* *July* 4

Inclosure Provisional Order (Orford) Bill
l. Read 2ª *June* 25, 208 (No. 127)
Committee*; Report *June* 28
Read 3ª* *July* 1
Royal Assent *July* 4 [41 & 42 *Vict.* c. cxiii]

Inclosure Provisional Orders Bill [H.L.]
(*Sir Matthew Ridley*)
c. Read 2°* *June* 21 [Bill 192]

INDIA
MISCELLANEOUS QUESTIONS
Civil and Military Employment — General Richard Strachey, Question, General Sir George Balfour; Answer, Mr. E. Stanhope *July* 15, 1463
Criminal Law—The High Court of Madras, Question, Mr. P. A. Taylor; Answer, Mr. E. Stanhope *July* 4, 756
Recent Famines in India — The Mortality, Question, Mr. Potter; Answer, Mr. E. Stanhope *June* 27, 321; Question, Observations, Lord Napier and Ettrick; Reply, Viscount Cranbrook *July* 22, 2021
The Indian Budget, Question, Mr. Fawcett; Answer, The Chancellor of the Exchequer *July* 15, 1467
The Salt Tax, Question, Mr. A. M'Arthur; Answer, Mr. E. Stanhope *June* 28, 447
The Vernacular Press Act, Question, Mr. Alexander M'Arthur; Answer, Mr. E. Stanhope *June* 27, 321; Questions, Sir George Campbell, Mr. Shaw Lefevre; Answers, Mr. E. Stanhope *July* 1, 494; Question, Mr. Fawcett; Answer, The Chancellor of the Exchequer *July* 11, 1241

India—The Jaghire of Bungana Pally
Moved, That an humble Address be presented to Her Majesty for Papers relating to the case of the Succession to the Jaghire of Bungana Pally" (*The Lord Stanley of Alderley*) *July* 11, 1206; after short debate, Motion withdrawn

Indian Native Troops (Transport and Employment Abroad)
Select Committee appointed, "to inquire into the cost of the recent movement of Her Majesty's Indian Troops from India to Malta, and to report in what respects, if any, the arrangements for employing European and Indian Native Troops together, outside the limits of India, require modification" (*Secretary Colonel Stanley*) *July* 22
And, on *July* 23, Committee nominated; List of the Committee, 2147
[See title *Military Forces of the Crown*]

Innkeepers Bill (*Mr. Wheelhouse, Mr. Locke, Mr. Spencer Stanhope*)
c. Committee*; Report *June* 21 [Bill 211]
Committee* (*on re-comm.*); Report *June* 24
Considered* *June* 25
Read 3°* *June* 26
l. Read 1ª* (*Lord Henniker*) *June* 27 (No. 136)
Read 2ª *July* 9, 1052
Committee* *July* 12 (No. 160)
Report* *July* 15
Read 3ª* *July* 18

Intermediate Education (Ireland) Bill
(*The Lord Chancellor*)
l. Presented; read 1ª *June* 21, 7 (No. 132)
Read 2ª, after long debate *June* 28, 415
Committee; Report *July* 2, 584
Question, Observations, Earl Granville; Reply, The Lord Chancellor *July* 4, 742
Petition presented, Earl Granville *July* 5, 848
Read 3ª* *July* 5

[cont.

Intermediate Education (Ireland) Bill—cont.

c. Read 1° * (*Mr. J. Lowther*) *July* 9 [Bill 249]
The Commissioners, Question, Mr. Charles Lewis; Answer, The Chancellor of the Exchequer *July* 15, 1469
Moved, "That the Bill be now read 2°" *July* 15, 1482
Amendt. to leave out "now," and add "upon this day three months" (*Mr. Charles Lewis*); Question proposed, "That 'now,' &c.;" after long debate, Amendt. withdrawn
Main Question put, and agreed to; Bill read 2°
Question, Mr. Charles Lewis; Answer, The Chancellor of the Exchequer *July* 18, 1850
Considered in Committee * *July* 22
Resolved, That it is expedient to authorise the extension of the several provisions of "The Irish Church Act, 1869," with respect to Advances to be made by the Commissioners for the Reduction of the National Debt to the Commissioners of Church Temporalities, and with respect to the powers of the Commissioners of Her Majesty's Treasury in relation to the Money to be so raised, to the provisions of any Act of the present Session to promote Intermediate Education in Ireland

IRELAND

MISCELLANEOUS QUESTIONS
Arklow Harbour, Question, Mr. Parnell; Answer, Sir Henry Selwin-Ibbetson *July* 18, 1848
Collection of Rates (Dublin)—Report of the Commission, Questions, Major O'Beirne; Answers, Mr. J. Lowther *June* 28, 449
Convict Disturbance at Haulbowline, Question, Mr. A. Moore; Answer, Mr. J. Lowther *June* 24, 121
Crime in Ireland, Question, Observations, Lord Oranmore and Browne; Reply, The Duke of Richmond and Gordon *July* 5, 848
Criminal Law—Case of Edward O'Kelly, Question, Mr. Biggar; Answer, Mr. J. Lowther *July* 8, 958;—*Medical Witnesses*, Question, Mr. R. Smyth; Answer, Mr. J. Lowther *July* 1, 491
Drainage Board—The River Mulcair, Question, Mr. A. Moore; Answer, Mr. J. Lowther *July* 16, 1580
Dublin University Commission—The Report, Question, Observations, The Earl of Belmore; Reply, The Duke of Richmond and Gordon *July* 8, 955
Education—The Irish Language, Question, Mr. O'Connor Power; Answer, Mr. J. Lowther *July* 4, 763
Inland Navigation — The Northern System, Question, Mr. King-Harman; Answer, Sir Henry Selwin-Ibbetson *July* 15, 1465
Peace Preservation (Ireland) Act (1875)—Searches for Arms, Question, Mr. Biggar; Answer, Mr. J. Lowther *June* 24, 123; Question, Mr. Mitchell Henry; Answer, Mr. J. Lowther, 125; Questions, Major Nolan; Answers, Mr. J. Lowther *June* 28, 448; *July* 1, 497; Questions, Mr. Biggar, Major Nolan; Answers, Mr. J. Lowther *July* 8, 958
Prison Discipline, Questions, Mr. J. Cowen, Mr. Mitchell Henry; Answers, Mr. Assheton Cross *July* 18, 1845

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Provisional Orders for Irish Waterworks, Question, Mr. Synan; Answer, The Attorney General for Ireland *July* 5, 856
Science and Art Museum, Dublin, Question, Mr. Gray; Answer, Lord George Hamilton *July* 15, 1467
The Magistracy—Island of Arranmore, Question, Sir Joseph M'Kenna; Answer, Mr. J. Lowther *June* 25, 210;—*The Officer Commanding at the Curragh*, Question, Mr. O'Shaughnessy; Answer, Mr. J. Lowther *June* 24, 122
The Riots at Belfast, Question, Mr. Errington; Answer, Mr. J. Lowther *July* 1, 498; Question, Mr. J. P. Corry; Answer, Colonel Stanley *July* 11, 1241
Taxation—The Volunteer Force—Charge on Ireland for British Volunteer Corps, Question, Observations, Mr. O'Clery; Reply, The Chancellor of the Exchequer *June* 24, 128

Ireland—The Case of Sergeant M'Carthy—Treatment of Political Prisoners
Amendt. on Committee of Supply *July* 12, To leave out from "That," and add "an humble Address be presented to Her Majesty, praying Her Majesty to appoint a Royal Commission to inquire into the death of Charles M'Carthy, lately a political prisoner in Chatham Prison, and also into the treatment of political prisoners and of military political prisoners, and of securing a proper classification of convicts according to the nature of their offences, whether political or otherwise" (*Mr. Mitchell Henry*) v., 1390; Question proposed, "That the words, &c.;" after long debate, Question put; A. 101, N. 35; M. 66 (D. L. 210)

Ireland—The Galtee Estate
Moved for, "Returns showing the following particulars, in tabular form, with reference to certain tenants on the Galtee Estates of Nathaniel Buckley, Esq. in the counties of Cork, Limerick, and Tipperary
"Of the number of ejectment Processes served in connection with the above tenancies since 1874" [and other Particulars] (*Mr. Gray*) *July* 1, 583; after short debate, Motion withdrawn

Irish Church Act (1869) Amendment (No. 2) Bill (*Mr. Shaw Lefevre, The O'Conor Don, Mr. Errington*)
c. Ordered; read 1° * *July* 8 [Bill 244]
Moved, "That the Bill be now read 2°" *July* 15, 1564
Amendt. to leave out "now," and add "upon this day three months" (*Mr. James Lowther*); Question proposed, "That 'now,' &c.;" after short debate, Moved, "That the Debate be now adjourned" (*Mr. Errington*); Motion withdrawn
Question put, "That 'now,' &c.;" A. 36, N. 51; M. 15 (D. L. 213)
Words added; main Question, as amended, put, and agreed to; 2R. put off for three months

Irish Land Act, 1870
Moved, "That an humble Address be presented to Her Majesty, praying that She will cause an Inquiry to be made as to how far the Irish Land Act, 1870, in its present form, really secures to the Irish tenant the benefits intended to be conferred on him by it; how far Clause 3 has operated to check capricious eviction; whether, notwithstanding the provisions of the Act, excessive rents confiscating the improvements declared by it to be the property of the tenant have been exacted; and whether any, and, if so, what steps should be taken, by amending the Act or otherwise, to render it more effective" (*Mr. Errington*) *July* 9, 1112; after short debate, Amendt. proposed, to leave out from "by it" to end of Question (*Mr. M'Carthy Downing*); Question proposed, "That the words, &c.;" after further debate, Question put, and negatived
Main Question, as amended put; A. 67, N. 134; M. 67 (D. L. 202)

Irish Peerage Bill
(*Mr. Plunket, Mr. Herbert, Mr. Macartney*)
c. Bill withdrawn * *July* 17 [Bill 78]

Isaac, Mr. S., *Nottingham*
Africa (West)—Sierra Leone, 1240
Railways—Sir Francis Goldsmid, Death of, 210
Sale of Intoxicating Liquors on Sunday (Ireland), Consid. 1276, 1277
Tenant Right (Ireland), Consid. *cl.* 2, Amendt. 944, 948, 1048

Jackson, Sir H. M., *Coventry*
Contagious Diseases (Animals), Comm. 1011; *cl.* 22, 2003, 2006

James, Sir H., *Taunton*
Contagious Diseases (Animals), Comm. *cl.* 2, Amendt. 1620; *cl.* 9, 1737; *cl.* 22, 1927, 1929
Contagious Diseases (Animals) [Salaries, Compensations, &c.], Comm. 1692
Criminal Code (Indictable Offences), 1235, 1464
Poor Law Amendment Act (1876) Amendment, Lords Amendts. Consid. 1043
Tenant Right (Ireland), Consid. *cl.* 2, 946, 949
Valuation of Property, Comm. *cl.* 3, Amendt. 33

James, Mr. W. H., *Gateshead*
Africa (South)—Griqualand West, 1243
 Outbreak of the Native Tribes — The Zulus, 19
Permissive Prohibitory Liquor, 2R. 264, 265
Valuation of Property, Comm. *cl.* 3, 31

Japan — Treaty of 1858 — *Admission of Opium*
Question, Mr. Mark Stewart; Answer, Mr. Bourke *June* 24, 127

Jenkins, Mr. D. J., *Penryn, &c.*
Contagious Diseases (Animals), Comm. 999
Navy—H.M.S. "Eurydice," 120

Jenkins, Mr. E., *Dundee*
Admiralty and War Office (Retirement of Officers), Comm. *cl.* 2, 1382
Eastern Question—Anglo-Turkish Convention—Indian Troops in Cyprus, 2054
Parliament—Public Business, Arrangement of, 499
Permissive Prohibitory Liquor, 2R. 274
Ritualism, Res. 901, 939
Roads and Bridges (Scotland), Consid. 610; 3R. 1077

Jenkinson, Sir G. S., *Wiltshire, N.*
Highways—Bicycles on Highways, 324
Highways, Comm. 463; *cl.* 11, Amendt. 473; *cl.* 13, Amendt. 881; *cl.* 20, Amendt. 900, 1078, 1080

Johnstone, Sir H., *Scarborough*
Habitual Drunkards, 2R. 717
Highways, Comm. 464; *cl.* 7, 470, 471; *cl.* 11, 474; *cl.* 20, 899; *cl.* 22, 1095; *add. cl.* 1345, 1366

Kavanagh, Mr. A. M., *Carlow Co.*
Contagious Diseases (Animals), 2R. 166; Comm. *cl.* 22, 1984

Kay-Shuttleworth, Sir U. J., *Hastings*
Artizans Dwellings Act, 1875—Operation in Ireland, 1334
Contagious Diseases (Animals), Comm. *cl.* 9, 1736
Elementary Education Code—Natural Science, Res. 782
Habitual Drunkards, 2R. 712
Metropolis—Government of London, 1236
 Water Supply in South London, 1237
Metropolitan Board of Works (Money), Comm. *cl.* 14, 1938
Pollution of Rivers Act, 1876—Legal Proceedings, 1333

Kenealy, Dr. E. V., *Stoke-upon-Trent*
Admiralty and War Office (Retirement of Officers), Comm. *cl.* 2, 1384
Eastern Question—The Marquess of Hartington's Resolutions, 2049
Law and Justice—Queen *v.* Castro, 20

Kimberley, Earl of
Ballymena and Larne Railway, 3R. 106
Cyprus, Island of—Slavery, 1225
Eastern Question—Congress—Correspondence and Protocols, 1830
Monuments (Metropolis), Comm. *cl.* 4, Amendt. 7
Poor Law Amendment Act (1876) Amendment, Comm. 112; 3R. 303
Public Health Act (1875) Amendment, Report, 2; 3R. 207
Vivisection — Royal Commission — Petitions, 1324

KINGSCOTE, Lieut.-Colonel R. N. F. *Gloucestershire, W.*
Contagious Diseases (Animals), 2R. 163; Comm. *cl.* 2, 1703; *cl.* 29, 2015; *cl.* 55, 2128
Contagious Diseases (Animals) [Salaries, Compensations, &c.], Comm. 1694
Highways, Comm. 456

KNATCHBULL-HUGESSEN, Right Hon. E. H., *Sandwich*
East London Railway (Payment of Debts), 2R. 1230
Highways, Comm. 459
Valuation of Property, Comm. *cl.* 8, 42; *cl.* 16, 62

KNIGHT, Mr. F. W., *Worcestershire, W.*
Highways, Comm. *cl.* 19, 898; *cl.* 20, 1081; *cl.* 21, 1089, 1090; *cl.* 25, 1102

KNIGHTLEY, Sir R., *Northamptonshire, S.*
Highways, Comm. *cl.* 14, 882

KNOWLES, Mr. T., *Wigan*
Highways, Comm. *cl.* 11, 870; *cl.* 18, 885, 886, 891, 895; *cl.* 23, 1098; *add. cl.* 1111, 1153, 1154
Mining Disasters, Res. 81
Valuation of Property, Comm. *cl.* 3, 32

Landed Estates Court (Ireland) Leases Bill (*Mr. French, Mr. Shaw, Mr. O'Reilly, Mr. Richard Power*) [Bill 83]
c. Moved, "That the Bill be now read 2°" *July* 3, 724
Amendt. to leave out "now," and add "upon this day three months" (*Mr. Verner*); Question proposed, "That 'now,' &c.;" after short debate, Question put; A. 78, N. 179; M. 101 (D. L. 193)
Words added; main Question, as amended, put, and agreed to; 2R. put off for three months

LANSDOWNE, Marquess of
Dental Practitioners, 2R. 299; Comm. 743

LAW, Right Hon. H., *Londonderry Co.*
Sale of Intoxicating Liquors on Sunday (Ireland), Consid. *cl.* 2, 1317

LAW AND JUSTICE
MISCELLANEOUS QUESTIONS
Fines on Jurymen, Question, Mr. Rylands; Answer, Mr. Assheton Cross *July* 11, 1236
Pollution of Rivers Act, 1876—*Legal Proceedings,* Question, Sir Ughtred Kay-Shuttleworth; Answer, Mr. Sclater-Booth *July* 12, 1333
Prison Discipline—Personal Search, Questions, Mr. Mitchell Henry; Answers, Mr. Assheton Cross *July* 18, 1846
The Halifax Bench of Magistrates, Question, Mr. Hutchinson; Answer, Mr. Assheton Cross *July* 1, 492
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LAWRENCE, Lord
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LAWRENCE, Sir J. C., *Lambeth*
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LAWRENCE, Sir J. J. T., *Surrey, Mid.*
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LAWSON, Sir W., *Carlisle*
Eastern Question—Congress at Berlin, 1853
Permissive Prohibitory Liquor, 2R. 282

LEATHAM, Mr. E. A., *Huddersfield*
Real Estate Intestacy, 2R. 1164

LECHMERE, Sir E., *Worcestershire, W.*
Contagious Diseases (Animals), 2R. 538
Highways, Comm. *cl.* 11, 881

LEEMAN, Mr. G., *York*
Contagious Diseases (Animals) [Salaries, Compensations, &c.], Comm. 1605
Highways, Comm. *add. cl.* 1365
Municipal Corporations Acts, 2R. 1030
Real Estate Intestacy, 2R. 1194
Valuation of Property, Comm. *cl.* 8, 43, 45

LEFEVRE, Mr. G. J. Shaw, *Reading*
Admiralty and War Office (Retirement of Officers), Comm. *cl.* 1, 1376
Contagious Diseases (Animals), Comm. 1003
Epping Forest, Comm. 574; *cl.* 13, Amendt. 576, 577, 578; *cl.* 29, Amendt. 579; Schedule, *ib.*; 3R. 773, 776
Highways, Comm. *add. cl.* 1349, 1355
India—Vernacular Press Act, 494
Irish Church Act (1869) Amendment (No. 2), 2R. 1564, 1568, 1571
Navy—Boiler Committee, 588
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LEIGHTON, Sir B., *Shropshire, S.*
Highways, Comm. 453; *cl.* 11, 871; *cl.* 18, Amendt. 883, 884; *cl.* 21, Amendt. 1084, 1085, 1088, 1089, 1090; *cl.* 23, 1098; Amendt. 1099

LEIGHTON, Mr. S., *Shropshire, N.*
Highways, Comm. *cl.* 11, Amendt. 877; *cl.* 19, Amendt. 896, 897; *add. cl.* 1158

LEITH, Mr. J. F., *Aberdeen*
South Africa—Outbreak of Native Tribes—Trial of Kaffir Prisoners, 126

LEWIS, Mr. C. E., *Londonderry*
Intermediate Education (Ireland), 2R. Amendt. 1488, 1494, 1536, 1850
Intermediate Education (Ireland)—Commissioners, 1469
Landed Estates Court (Ireland) Leases, 2R. 728

Licensing Laws Amendment Bill
Question, Mr. Rodwell; Answer, Mr. Assheton Cross *July* 16, 1576

LILFORD, Lord
Cyprus—Slavery, 1949

LINDSAY, Colonel R. J. Loyd (Financial Secretary for War), *Berkshire*
Army—Army and Militia Reserves, 1846
Commander-in-Chief — Leave of Absence, 1335

Linen and Hempen Manufactures (Ireland) Bill (*Mr. James Lowther, Mr. Attorney General for Ireland*)
c. Bill withdrawn * *July* 15 [Bill 184]

LLOYD, Mr. M., *Beaumaris*
Breach of Promise of Marriage, 588

LLOYD, Mr. S. S., *Plymouth*
Criminal Code (Indictable Offences), 762
Habitual Drunkards, 2R. 718

Local Government (Ireland) Provisional Order Confirmation (Artizans' and Labourers' Dwellings) (Cork) Bill
(*The Lord President*)
l. Committee*; Report *June* 25 (No. 117)
Read 3^a * *June* 27
Royal Assent *July* 4 [41 & 42 *Vict.* c. cviii]

Local Government Provisional Orders (Abergavenny Union, &c.) Bill
(*The Lord President*)
l. Report of Select Comm.* *July* 4
Committee * *July* 5 (No. 116)
Report * *July* 8
Read 3^a * *July* 9
Royal Assent *July* 22 [41 & 42 *Vict.* c. clxiv]

Local Government Provisional Orders (Artizans' and Labourers' Dwellings) Bill (*The Lord President*)
l. Royal Assent *July* 4 [41 & 42 *Vict.* c. cv]

Local Government Provisional Orders (Belper Union, &c.) Bill
(*The Lord President*)
l. Committee*; Report *June* 25 (No. 118)
Read 3^a * *June* 27
Royal Assent *July* 4 [41 & 42 *Vict.* c. cix]

Local Government Provisional Orders (Birmingham, &c.) Bill
(*The Lord President*)
l. Royal Assent *July* 4 [41 & 42 *Vict.* c. civ]

Local Government Provisional Orders (Bournemouth, &c.) Bill
(*The Lord President*)
l. Committee*; Report *June* 25 (No. 119)
Read 3^a * *June* 27
c. Lords Amendts. considered * *July* 2 [Bill 213]
l. Royal Assent *July* 22 [41 & 42 *Vict.* c. clxii]

Local Government Provisional Orders (Darenth Valley) Bill
(*The Lord President*)
l. Committee * *July* 19 (No. 152)
Report * *July* 22

Local Government Provisional Orders (Dawlish, &c.) Bill
(*The Lord President*)
l. Report of Select Comm.* *July* 4
Committee*; Report *July* 5 (No. 121)
Read 3^a * *July* 8
Royal Assent *July* 22 [41 & 42 *Vict.* c. clxv]

Local Government Provisional Orders (Ireland) Confirmation (Downpatrick, &c.) Bill (*Mr. James Lowther, Mr. Attorney General for Ireland*)
c. Bill withdrawn * *July* 3 [Bill 210]

Locomotives on Highways (Scotland) Bill
(*The Lord Advocate, Sir Matthew Ridley*)
c. Ordered; read 1° * *July* 22 [Bill 271]

London and North-Western Railway (Additional Powers) Bill [H.L.]
l. Moved, "That the Bill be now read 3^a" *July* 4, 737; after short debate, Bill read 3^a

LOPES, Sir M., *Devonshire, S.*
Admiralty and War Office (Retirement of Officers), Comm. *cl.* 1, 1375

Lord Clerk Register (Scotland) Bill
(*Mr. Secretary Cross, The Lord Advocate*)
c. Bill withdrawn * *July* 16 [Bill 182]

LOWTHER, Right Hon. J. (Chief Secretary for Ireland), *York City*
Artizans Dwellings Act, 1875—Operation in Ireland, 1334
Grand Jury Law Amendment (Ireland), 1240
Idiots, &c. (Ireland), 2R. 200; Comm. *cl.* 3, Amendt. 581; *cl.* 6, 582
Intermediate Education (Ireland), 2R. 1482
Ireland—Miscellaneous Questions
  Belfast, Riots at, 498
  Collection of Rates (Dublin)—Report of the Commission, 449
  Convict Disturbance at Haulbowline, 122
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Sale of Intoxicating Liquors on Sunday (Ireland), Consid. *cl.* 1, 1309
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Tenant Right (Ireland), Consid. *cl.* 2, 945
Tramways (Ireland) Acts Amendment, Comm. 580

Lubbock, Sir J., *Maidstone*
Elementary Education Code—Natural Science, Res. 777

Lush, Dr. J. A., *Salisbury*
Contagious Diseases (Animals), 2R. 170 ; Comm. *cl.* 30, 2077 ; *cl.* 55, 2110
Contagious Diseases (Animals) [Salaries, Compensations, &c.], Comm. Motion for Adjournment, 1599
Highways, Comm. *cl.* 4, 466
Parliament—Progress of Public Business, Res. 1477

Lusk, Sir A., *Finsbury*
Bishoprics, 2R. Motion for Adjournment, 1028
Contagious Diseases (Animals), Comm. *cl.* 9, 1740 ; *cl.* 10, 1860 ; *cl.* 22, 1999
Contagious Diseases (Animals) [Salaries, Compensations, &c.], Comm. 1598
Epping Forest, Comm. 575 ; 3R. 775
Highways, Comm. *cl.* 20, 1079 ; *cl.* 22, 1096 ; *cl.* 25, 1103 ; *add. cl.* 1357
Valuation of Property, Comm. *cl.* 8, 50

McArthur, Mr. A., *Leicester*
India—Salt Tax, 447
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Macartney, Mr. J. W. E., *Tyrone*
Habitual Drunkards, 2R. 724
Idiots, &c. (Ireland), 2R. 201 ; Comm. *cl.* 3, Amendt. 581 ; *cl.* 4, Amendt. 582 ; *cl.* 6, Amendt. *ib.*, 583 ; Consid. Amendt. 945
Landed Estates Court (Ireland) Leases, 2R. 727
Removal of Paupers, Res. 675
Sale of Intoxicating Liquors on Sunday (Ireland), Consid. *cl.* 2, 1318
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Macdonald, Mr. A., *Stafford*
Contagious Diseases (Animals), Comm. *cl.* 16, 1890, 1896
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Mackintosh, Mr. C. F., *Inverness, &c.*
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Mac Iver, Mr. D., *Birkenhead*
Contagious Diseases (Animals), Comm. *cl.* 2, 1723

McKenna, Sir J. N., *Youghal*
Admiralty and War Office (Retirement of Officers), Comm. 1371 ; *cl.* 2, 1387, 1425, 1683 ; *cl.* 4, 1684
Belfast Improvement, Lords Amendts. Consid. 1065
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McLagan, Mr. P., *Linlithgowshire*
Contagious Diseases (Animals), 2R. 355 ; Comm. *cl.* 10, 1864 ; *cl.* 16, 1888, 1890 ; *cl.* 22, 1999

McLaren, Mr. D., *Edinburgh*
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MAKINS, Lieut.-Colonel W. T., *Essex, S.*
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Malta—Protest of the Maltese Nobles
Question, Observations, Viscount Sidmouth; Reply, Earl Cadogan; Observations, The Earl of Carnarvon *July* 5, 850

MANNERS, Right Hon. Lord J. J. R. (Postmaster General), *Leicestershire, N.*
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MARLING, Mr. S. S., *Stroud*
Highways, Comm. *cl.* 21, 1091

Marriage Preliminaries (Scotland) Bill
(*Dr. Cameron, Mr. Baxter, Mr. M'Laren, Mr. Ernest Noel, Mr. Edward Jenkins*)
c. Committee*; Report *June* 26 [Bill 86]
Considered *July* 4, 846
Read 3°* *July* 5
l. Read 1ª* (*The Earl of Camperdown*) *July* 8 (No. 149)
Read 2ª, after short debate *July* 15, 1428

MARTEN, Mr. A. G., *Cambridge*
Real Estate Intestacy, 2R. 1176

MARTIN, Mr. P., *Kilkenny Co.*
Contagious Diseases (Animals), Comm. *cl.* 55, 2124, 2126

Masters and Servants—Liability of Employers—Legislation
Question, Mr. Puleston; Answer, The Attorney General *July* 11, 1244

Medical Act (1858) Amendment (No. 2) Bill
(*Mr. Arthur Mills, Mr. Childers, Mr. Goldney*)
c. Adjourned Debate on Question [13th June], "That the Bill be now read 2°" resumed *June* 21, 98
Moved, "That the Debate be now adjourned" (*Mr. Chancellor of the Exchequer*); after short debate, Motion agreed to; Debate further adjourned

Medical Reform—Bills before Parliament
Question, Mr. Errington; Answer, Lord George Hamilton *July* 4, 759

MELDON, Mr. C. H., *Kildare*
Admiralty and War Office (Retirement of Officers), Comm. *cl.* 2, 1681
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Supply—Local Government Board in Ireland, 1551, 1555; Motion for reporting Progress, 1561
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MELLOR, Mr. T. W., *Ashton-under-Lyne*
Poor Law Amendment Act (1876) Amendment, Lords Amendts. Consid. Amendt. 940, 944, 1046, 1047, 2061

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Merchant Seamen Bill
(*Sir Charles Adderley, Mr. Edward Stanhope*)
c. Bill withdrawn* *June* 27 [Bill 200]

MEREWETHER, Mr. C. G., *Northampton*
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Parochial Charities—A Royal Commission, Questions, Mr. Fawcett; Answers, Mr. Assheton Cross *June* 27, 327; *July* 11, 1244; *July* 18, 1852
Public Health—Deaths from Small Pox in London, Question, Sir Charles W. Dilke; Answer, Mr. Sclater-Booth *July* 2, 588
The Gardens of Euston Square, Question, Sir James Lawrence; Answer, Sir James M'Garel Hogg *June* 24, 126
The Islington and Deptford Cattle Markets, Question, Sir Charles W. Dilke; Answer, Mr. Alderman Cotton *July* 18, 1851
The National Gallery, Observations, Mr. Hermon, Lord Francis Hervey; Reply, Mr. Assheton Cross *July* 4, 793

[*cont.*

METROPOLIS—*cont.*
Water Companies—Increased Rates, Question, Colonel North; Answer, The Chancellor of the Exchequer *July* 18, 1846
Water Supply in South London, Question, Sir Ughtred Kay-Shuttleworth; Answer, Mr. Sclater-Booth *July* 11, 1237

Metropolis Improvement Provisional Orders Confirmation (Bowman's Buildings, Marylebone, &c.) Bill [H.L.]
c. Read 2°* *June* 21 [Bill 217]
Committee*; Report *June* 28
Read 3°* *July* 1
l. Royal Assent *July* 4 [41 & 42 *Vict.* c. cxii]

Metropolis Management and Building Acts Amendment Bill
(*The Viscount Midleton*)
l. Committee* *July* 5 (Nos. 72-145)
Report* *July* 8
Read 3ª* *July* 9
Royal Assent *July* 22 [41 & 42 *Vict.* c. 32]

Metropolitan Board of Works (Money) Bill (*Sir Henry Selwin-Ibbetson, Mr. Chancellor of the Exchequer*)
c. Ordered; read 1°* *July* 9 [Bill 251]
Read 2°* *July* 17
Committee; Report *July* 18, 1936
Considered* *July* 19
Read 3°* *July* 22

MIDLETON, Viscount
Intermediate Education (Ireland), 2R. 424
Monuments (Metropolis), Comm. 2

MILLS, Mr. A., *Exeter*
Medical Act (1858) Amendment (No. 2), 2R. 99

Mines Regulation Act, 1872
Clause 32, Question, Mr. Macdonald; Answer, Mr. Assheton Cross *July* 19, 1970
Explosions in Mines, Question, Mr. Macdonald; Answer, Mr. Assheton Cross *June* 27, 325

Mining Disasters
Amendt. on Committee of Supply *June* 21, To leave out from "That," and add "inasmuch as the history of mining disasters during the last twenty-seven years proves that many of them have resulted from the culpable neglect of well-known provisions in Acts passed for the safety of those employed in Mines, it is expedient that the Government should at once take steps to see that the inspection ordered by the Mines Act of 1872 be rigorously enforced: That, should the powers contained in the above-named Act be insufficient to meet the necessities of all the cases, the Government ought to introduce a measure without delay that will" (*Mr. Macdonald*) *v.*, 67; Question proposed, "That the words, &c.;" after debate, Amendt. withdrawn

MONCK, Viscount
Intermediate Education (Ireland), 2R. 442

MONK, Mr. C. J., *Gloucester City*
Consecration of Churchyards Act (1867) Amendment, Comm. Motion for Adjournment, 298
Ecclesiastical Buildings (Fire Insurance), Comm. 581
Freshwater Fish Protection, Comm. *cl.* 11, 1036
Gold and Silver Hall Marking, Motion for a Select Committee, 202
Turkey—Crete, 813

MONTAGU, Right Hon. Lord R., *Westmeath*
Eastern Question—Miscellaneous Questions
Convention between England and Turkey, 1578, 1579
Mediterranean Fleet—Detention of British Seamen, 1852, 1971
Russian Troops in Turkey, 2058
Foreign Office—Abstraction of a State Paper —Anglo-Turkish Memorandum, 2059
German Empire—The Netherlands, 1469
Turkey—Asiatic Dominions of the Sultan, 1469
Firing on a Boat's Crew by the Russians, 2057

MONTGOMERY, Sir G. G., *Peeblesshire*
Roads and Bridges (Scotland), Consid. 608
Valuation of Lands (Scotland) Amendment, Comm. 1941, 1945

Monuments Metropolis (No. 2) Bill
(*The Viscount Midleton*)
l. Committee, after short debate *June* 21, 2
Report* *June* 25 (No. 100)
Read 3ª* *June* 27
c. Consideration of Lords Amendts. deferred *July* 3, 736
Lords Amendts. agreed to *July* 4, 846
l. Royal Assent *July* 22 [41 & 42 *Vict.* c. 29]

MOORE, Mr. A. J., *Clonmel*
Army—Regimental Debts Act, 132
Drainage Board (Ireland)—The River Mulcair, 1580
Idiots, &c. (Ireland), 2R. 200; Consid. 846
Ireland—Convict Disturbance at Haulbowline, 121
Irish Land Act (1870), Res. 1138
Supply—Royal Irish Academy, 1543

MORGAN, Mr. G. Osborne, *Denbighshire*
Consecration of Churchyards Act (1867) Amendment, Comm. 298
Real Estate Intestacy, 2R. 1191

MORLEY, Earl of
Freshwater Fish Protection, 2R. 2036
Poor Law Amendment Act (1876) Amendment, Comm. *cl.* 1, 117; 3R. 300, 305; Commons Amendts. Consid. 1440
Tramways Orders Confirmation (No. 1), Comm. 1446

MOWBRAY, Right Hon. J. R., *Oxford University*
Ritualism, Res. 934

MULHOLLAND, Mr. J., *Downpatrick*
Tenant Right (Ireland), Consid. *cl.* 2, 945, 947

MUNDELLA, Mr. A. J., *Sheffield*
Admiralty and War Office (Retirement of Officers), Comm. 1374 ; *cl.* 2, 1383
Contagious Diseases (Animals), 2R. 540 ; Comm. *cl.* 2, 1616, 1619, 1632, 1635, 1720 ; *cl.* 9, 1744 ; *cl.* 10, 1859, 1864 ; *cl.* 16, 1907 ; *cl.* 21, 1915, 1917
Contagious Diseases (Animals) [Salaries, Compensations, &c.], Comm. 1590 ; Amendt. 1591, 1592, 1603, 1697
Contagious Diseases (Animals)—Treaty Obligations, 1577
Freshwater Fish Protection, Comm. 1032 ; *cl.* 11, 1035, 1036
Navy—Indian Troops and Stores—Contracts for Transport, 125
Poor Law Amendment Act (1876) Amendment, Lords Amendts. Consid. 943

Municipal Corporations Acts Bill
(*Sir Henry Selwin-Ibbetson, Mr. Secretary Cross*)
c. Ordered ; read 1°* *July* 3 [Bill 238]
Moved, "That the Bill be now read 2°" *July* 8, 1030
After short debate, Moved, "That the Debate be now adjourned" (*Mr. Gourley*) ; after further short debate, Motion agreed to ; Debate adjourned

Municipal Corporations Commission — Lostwithiel
Question, Sir Charles W. Dilke ; Answer, Mr. Stephen Cave *July* 4, 762

Municipal Elections—Carlisle
Question, Mr. Chamberlain ; Answer, Mr. Assheton Cross *July* 22, 2051

MUNTZ, Mr. P. H., *Birmingham*
Army—Poisoning of Soldiers at Malta, 2059
Contagious Diseases (Animals), 2R. 181 ; Comm. *cl.* 10, 1860 ; *cl.* 15, 1880 ; *cl.* 22, 1999 ; *cl.* 38, 2089
Contagious Diseases (Animals) [Salaries, Compensations, &c.], Comm. 1589, 1696
Highways, Comm. *cl.* 11, 870 ; *add. cl.* 1358
Mutiny Act—European and Native Indian Army, 2056
Valuation of Property, Comm. *cl.* 2, 21 ; *cl.* 7, Amendt. 36 ; *cl.* 16, 65

MURE, Colonel W., *Renfrew*
Contagious Diseases (Animals), Comm. *cl.* 55, 2098, 2099, 2121 ; *cl.* 62, 2139
Roads and Bridges (Scotland), Consid. 602, 826 ; *cl.* 88, 832

MURPHY, Mr. N. D., *Cork City*
Contagious (Diseases (Animals), Comm. *cl.* 16, 1906 ; *cl.* 21, Amendt. 1921 ; *cl.* 22, 1934 ; *cl.* 29, 2015 ; *cl.* 55, 2127 ; *cl.* 64, 2143
Intermediate Education (Ireland), 2R. 1536
Parliament—Progress of Public Business, Res. 1476
Sale of Intoxicating Liquors on Sunday (Ireland), Consid. 1253 ; Preamble, Amendt. 1302 ; *cl.* 1, Amendt. *ib.*, 1303, 1309 ; *cl.* 2, Amendt. 1315, 1317, 1318
Supply—Chief Secretary for Ireland, Offices, 1549

Mutiny Act—The European and Native Indian Army
Question, Mr. Muntz ; Answer, The Attorney General *July* 22, 2056

NAPIER AND ETTRICK, Lord
Army (India)—Indian Staff Corps, 1459
Eastern Question—Congress—Correspondence and Protocols, 1839
India, Famines in, 2021, 2036
India—Jaghire of Bungana Pally, Motion for an Address, 1221

NAPIER OF MAGDALA, Lord
Army (India)—Indian Staff Corps, 1457

NAVY
MISCELLANEOUS QUESTIONS
Greenwich Hospital Pensions, Question, Captain Price ; Answer, Mr. W. H. Smith *July* 15, 1470 ; Question, Mr. P. A. Taylor ; Answer, Mr. W. H. Smith *July* 18, 1844
H.M.S. "Eurydice," Questions, Mr. Baillie Cochrane, Captain Pim, Mr. D. Jenkins ; Answers, Mr. W. H. Smith *June* 24, 120 ; Observations, Viscount Cranbrook *July* 16, 1575
Indian Troops and Stores — Contracts for Transport, Question, Mr. Mundella ; Answer, Mr. W. H. Smith *June* 24, 125
Naval Artillery Volunteers, Question, Captain Pim ; Answer, Mr. W. H. Smith *July* 18, 1849
The Admiralty—The Accountant General of the Navy, Question, Captain Pim ; Answer, Mr. A. F. Egerton *July* 5, 855 ; Question, Captain Pim ; Answer, Mr. W. H. Smith *July* 18, 1849
The Boiler Committee, Question, Mr. Shaw Lefevre ; Answer, Mr. W. H. Smith *July* 2, 588
Training Ships (Ireland), Question, Major O'Gorman ; Answer, Mr. A. F. Egerton *June* 28, 450

NELSON, Earl
Poor Law Amendment Act (1876) Amendment, 3R. 302

NEWDEGATE, Mr. C. N., *Warwickshire, N.*
Contagious Diseases (Animals), 2R. 370, 372 ; Comm. 1005 ; *cl.* 2, 1674 ; *cl.* 9, 1739 ; *cl.* 10, 1859, 1861, 1862 ; *cl.* 15, 1874 ; *cl.* 16, 1907 ; *cl.* 22, 1928, 1985, 2070 ; *cl.* 30, 2077 ; *cl.* 55, 2109, 2111, 2131

[*cont.*

Newdegate, Mr. C. N.—*cont.*
Contagious Diseases (Animals) [Salaries, Compensations, &c.], Comm. 1588, 1605, 1691
Intermediate Education (Ireland), 2R. 1506
Removal of Paupers, Res. 684
Ritualism, Res. 932

Noel, Mr. E., *Dumfries, &c.*
Roads and Bridges (Scotland), Consid. *cl.* 3, Amendt. 641, 642 ; *cl.* 33, Amendt. 646

Nolan, Major J. P., *Galway Co.*
Admiralty and War Office (Retirement of Officers), Comm. *cl.* 2, 1683
Army—Army and Militia Reserves, 1846
Contagious Diseases (Animals), 2R. 250 ; Comm. *cl.* 22, 1924, 1928, 1933, 1986 : *cl.* 30, 2070 ; *cl.* 55, 2097, 2100, 2101, 2103, 2104, 2106, 2110, 2112, 2117, 2126, 2135 ; *cl.* 64, 2141, 2145
Corrib (Galway) River, 2R. 843
Criminal Code (Indictable Offences)—Burglars with Housebreaking Implements—Definition of "Night," 1971
Gold and Silver Hall Marking, Motion for a Select Committee, Amendt. 201, 202
Idiots, &c. (Ireland), Comm. *cl.* 6, 582 ; Consid. 846
Irish Church Act (1869) Amendment (No. 2), 2R. 1566
Irish Land Act (1870), Res. 1135, 1144, 1145
Landed Estates Court (Ireland) Leases, 2R. 729
Peace Preservation (Ireland) Act — House Searches, 448, 497, 959
Public Works Loans (Ireland) Act (1877) Amendment, Comm. 66, 200
Supply—Chief Secretary for Ireland, Offices, 1547
  Commissioners of Charitable Donations, &c. for Ireland, 1550
  Local Government Board in Ireland, 1555, 1563
  Queen's Colleges in Ireland, Amendt. 1537, 1541
Tenant Right (Ireland), Consid. *cl.* 2, 946, 948
Turkey—Cyprus, Occupation of, 1242
Valuation of Property, Comm. *cl.* 3, 26, 30, 32

North, Colonel J. S., *Oxfordshire*
Water Companies (Metropolis) — Increased Rates, 1848

Northbrook, Earl of
Army—Artillery—Muzzle-loading and Breech-loading Rifled Guns, Motion for Returns, 1328
Army (India)—Indian Staff Corps, 1460
Eastern Question—Congress—Correspondence and Protocols,* 1816, 1828

Northcote, Right Hon. Sir S. H. (*see* Chancellor of the Exchequer)

Norton, Lord
Railways—Sir Francis Goldsmid, Accident to, 316

O'Beirne, Major F., *Leitrim*
Army—Miscellaneous Questions
  Adjutants, Nationality of, 758
  Arrears of Pay (Paymasters), 1239
  Auxiliary Forces—Adjutants of Volunteers and Yeomanry, 326
  Commander-in-Chief—Leave of Absence, 1335
  Half-Pay—Royal Warrant, 2061
Collection of Rates (Dublin), Report of Commission, 449
Sale of Intoxicating Liquors on Sunday (Ireland), Consid. 1264 ; *cl.* 1, Amendt. 1311
Supply—Lord Lieutenant of Ireland, Household, &c. of, Amendt. 1545, 1546
Taxation (Ireland)—Volunteer Force, 131

O'Brien, Sir P., *King's Co.*
Cattle Disease—Inoculation, 1465
Removal of Paupers, Res. 677
Sale of Intoxicating Liquors on Sunday (Ireland), Consid. *cl.* 1, 1310

O'Clery, Mr. K., *Wexford Co.*
Civil Service — Admiralty and War Office (Retirement of Officers), 2059
Irish Church Act (1869) Amendment (No. 2), 2R. 1570
Taxation (Ireland)—Volunteer Force, 128, 130 ; Motion for Adjournment, 131
Valuation of Property, Comm. *cl.* 3, 29

O'Conor, Mr. D. M., *Sligo Co.*
Contagious Diseases (Animals), 2R. 366, 372

O'Conor Don, The, *Roscommon Co.*
Contagious Diseases (Animals), Comm. *cl.* 22, 1926, 2007
Drainage and Improvement of Land (Ireland), Leave 201
Idiots, &c. (Ireland), Comm. *cl.* 6, 582
Intermediate Education (Ireland), 2R. 1513
Irish Church Act (1869) Amendment (No. 2), 2R. 1565
Landed Estates Court (Ireland) Leases, 2R. 732
Parliament—Business of the House, 327, 328
Parliament—Progress of Public Business, Res. 1474
Sale of Intoxicating Liquors on Sunday (Ireland), Consid. 413, 414, 964 ; *add. cl.* 1299, 1302 ; *cl.* 1, 1308, 1312 ; *cl.* 2, 1315, 1319

O'Donnell, Mr. F. H., *Dungarvan*
Criminal Code (Indictable Offences)—Burglars with Housebreaking Implements—Definition of "Night," 1970
Valuation of Property, Comm. *cl.* 3, 26

O'Donoghue, The, *Tralee*
Sale of Intoxicating Liquors on Sunday (Ireland), Consid. 1283, 1295 ; *add. cl.* Motion for Adjournment, 1299 ; *cl.* 2, 1319
Supply—Royal Irish Academy, Motion for reporting Progress, 1543

O'GORMAN, Major P., *Waterford*
Freshwater Fish Protection, Comm. *cl.* 11, 1037
Highways, Comm. *add. cl.* 1161
Navy—Training Ships (Ireland), 450
Railways—Train Management, 20
Supply—Local Government Board in Ireland, 1563

O'HAGAN, Lord
Intermediate Education (Ireland), 2R. 417

ONSLOW, Mr. D. R., *Guildford*
Municipal Corporations Acts, 2R. 1030
Parliament—Business of the House, 328
Sale of Intoxicating Liquors on Sunday (Ireland), Consid. 414; Amendt. 1248
Turkey—Mohammedan Population of Bulgaria, 488

ORANMORE AND BROWNE, Lord
Cyprus, Island of—Sanitary Condition, 1433, 1434, 1436
Intermediate Education (Ireland), 2R. 433; Comm. Schedule, 585, 586
Ireland, Crime in, 848
Roads and Bridges (Scotland), 2R. 1959

O'SHAUGHNESSY, Mr. R., *Limerick*
Admiralty and War Office (Retirement of Officers), Comm. *cl.* 1, 1378; *cl.* 2, 1381, 1389; Motion for reporting Progress, 1424, 1426; Amendt. 1682, 1683
Intermediate Education (Ireland), 2R. 1509
Irish Church Act (1869) Amendment (No. 2), 2R. 1567
Irish Land Act (1870), Res. 1140
Magistracy (Ireland)—The Officer Commanding at the Curragh, 122
Parliament—Order of Business, 764
Removal of Paupers, Res. 686
Supply—Chief Secretary for Ireland, Offices, 1546
  Local Government Board in Ireland, 1559
  Queen's Colleges in Ireland, 1538

O'SULLIVAN, Mr. W. H., *Limerick Co.*
Contagious Diseases (Animals), 2R. 525; Comm. *cl.* 16, 1885; *cl.* 22, 1991; *cl.* 28, Amendt. 2010
Habitual Drunkards, 2R. 716
Irish Church Act (1869) Amendment (No. 2), 2R. 1570
Landed Estates Court (Ireland) Leases, 2R. 728
Parliament—Business of the House, 328
Sale of Intoxicating Liquors on Sunday (Ireland), Consid. 1266, 1267, 1269; *add. cl.* 1298; *cl.* 1, 1309; Motion for Adjournment, 1311, 1312; *cl.* 2, 1316, 1320
Supply—Local Government Board in Ireland, Motion for Adjournment, 1562, 1563
Tobacco Duties Acts, 1830—Cultivation of Tobacco in Ireland, 1968

OTWAY, Mr. A. J., *Rochester*
Eastern Question—San Stefano Treaty, 2056
  Treaty of Berlin, 1581
Russia and Turkey—War Indemnity, 1845, 1846

PAGET, Mr. R. H., *Somersetshire, Mid*
Contagious Diseases (Animals), Comm. *cl.* 22, 1926; *cl.* 30, 2073, 2078, 2079
Criminal Law—Reformatory Schools, 2052
Highways, Comm. *cl.* 4, 467, 468; *cl.* 7, 469; Amendt. 470, 471; *cl.* 11, 474, 478; Amendt. 857; *cl.* 14, Amendt. 882; *cl.* 18, 885, 888, 890; *cl.* 19, 897; *cl.* 23, 1098; *cl.* 24, 1100; *add. cl.* 1343, 1348, 1358, 1360
Valuation of Property, Comm. *cl.* 8, 46; *cl.* 16, 64

PARKER, Mr. C. S., *Perth*
Endowed Schools (Scotland), 132
Permissive Prohibitory Liquor, 2R. 278
Roads and Bridges (Scotland), Consid. *cl.* 33, 648

Parliament
COMMONS
Business of the House—Public Business
Questions, Mr. J. Cowen, The Marquess of Hartington; Answers, The Chancellor of the Exchequer *June* 24, 132; Questions, Mr. W. E. Forster, Sir George Campbell, Mr. Hibbert; Answers, The Chancellor of the Exchequer, Mr. Assheton Cross, Mr. Sclater-Booth *June* 27, 330
Arrangement of Public Business, Questions, Mr. E. Jenkins, Mr. Dillwyn; Answers, The Chancellor of the Exchequer *July* 1, 499; Questions, Mr. Goschen, The Marquess of Hartington, Mr. Dillwyn, Mr. Fawcett, Mr. O'Shaughnessy, Dr. Cameron; Answers, Mr. Sclater-Booth, The Chancellor of the Exchequer *July* 4, 763
Business of the House, Questions, Mr. Dillwyn, Mr. Fawcett; Answers, Sir Henry Selwin-Ibbetson *July* 9, 1071; Questions, Mr. Dillwyn, Sir George Campbell; Answers, The Chancellor of the Exchequer, Mr. Assheton Cross *July* 11, 1246
Kew Gardens, Question, Sir Charles W. Dilke; Answer, Sir Trevor Lawrence *July* 15, 1464
Police Superannuation Funds — Legislation, Question, Sir Frederick Perkins; Answer, Mr. Assheton Cross *July* 1, 491
Treaty of Berlin, Questions, The Marquess of Hartington; Observations, Mr. Butt; Reply, The Chancellor of the Exchequer *July* 22, 2063
Vernacular Press (India) Act, Question, Mr. Fawcett; Answer, The Chancellor of the Exchequer *July* 11, 1241

Breach of Promise of Marriage Bill, Question, Mr. Morgan Lloyd; Answer, Mr. Herschell *July* 2, 588
Local Courts of Bankruptcy (Ireland) Bill, Question, Mr. Meldon; Answer, The Attorney General for Ireland *June* 28, 450
Sale of Intoxicating Liquors on Sunday (Ireland) Bill, Questions, The O'Conor Don, Mr. O'Sullivan, Sir Joseph M'Kenna, Mr. Onslow; Answers, The Chancellor of the Exchequer, The O'Conor Don *June* 27, 327
Select Committee on Public Business — The Committee Stage of Bills, Question, Sir Charles W. Dilke; Answer, The Chancellor of the Exchequer *July* 11, 1238
Scotch Bills, Questions, Mr. Baxter; Answers, Mr. Assheton Cross *July* 12, 1336

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PARLIAMENT—COMMONS—*cont.*

House of Lords—The Ventilation of the House, Question, Observations, Earl Granville; Reply, The Lord Chancellor *July* 22, 2018

Parliamentary and Municipal Elections—The Ballot Act, Question, Sir Charles W. Dilke; Answer, Mr. Assheton Cross *June* 27, 322

Parliamentary Representation

Controverted Elections—County of Northumberland, Southern Division, Report of Mr. Justice Field *July* 5, 853

Representation of Clare—Sir Bryan O'Loghlen, Question, Mr. Sullivan; Answer, The Attorney General *July* 15, 1462; Question, Mr. Sullivan; Answer, Sir Michael Hicks-Beach *July* 22, 2060

Parliament—Arrangement of Public Business

Moved, "That after To-morrow, for the remainder of the Session, Orders of the Day have precedence of Notices of Motion upon Tuesdays, Government Orders having priority, and that Government Orders have priority upon Wednesdays" (*Mr. Chancellor of the Exchequer*) *July* 15, 1472; after short debate, Motion withdrawn

Resolved, That, for the remainder of the Session, Orders of the Day have precedence of Notices of Motion upon Tuesdays, Government Orders having priority, and that Government Orders have priority upon Wednesdays (*Mr. Chancellor of the Exchequer*)

PARLIAMENT—HOUSE OF COMMONS

New Writs Issued

June 24—*For* Middlesborough, *v.* Henry William Ferdinand Bolckow, esquire, deceased

June 25—*For* the Borough of Flint, *v.* Peter Ellis Eyton, esquire, deceased

July 22—*For* Haddington District of Burghs, *v.* Sir Henry Robert Ferguson Davie, baronet, Manor of Northstead

New Members Sworn

July 5—Isaac Wilson, esquire, *Middlesborough*

July 8—John Roberts, esquire, *Borough of Flint*

Parliamentary and Municipal Registration (Consolidated) Bill

(*The Earl Stanhope*)

l. Read 2ª, after short debate *July* 1, 484
Committee *; Report *July* 8 (No. 125)
Read 3ª * *July* 9
Royal Assent *July* 22 [41 & 42 *Vict.* c. 26]

Parliamentary Elections (Returning Officers' Expenses) (Scotland) Bill

(*Mr. James Stewart, Dr. Cameron, Mr. Montgomerie, Mr. Ramsay*)

c. Ordered; read 1° * *July* 2 [Bill 237]
Read 2° * *July* 10
Committee *—R.P. *July* 19
Committee *; Report *July* 22

PARNELL, Mr. C. S., *Meath*

Admiralty and War Office (Retirement of Officers), Comm. Amendt. 1367, 1375; *cl.* 2, 1388; Amendt. 1425, 1679, 1681; *cl.* 4, Amendt. 1683, 1684

Arklow Harbour (Ireland), 1848

Contagious Diseases (Animals), Comm. *cl.* 55, 2102, 2103, 2118, 2119; Amendt. 2123, 2127, 2128, 2129, 2135

Irish Church Act (1869) Amendment (No. 2), 2R. 1567, 1571

Public Works Loans (Ireland) Act (1877) Amendment, Comm. 66

Supply—Chief Secretary for Ireland, 1549

Local Government Board in Ireland, 1555, 1558

Lord Lieutenant of Ireland, Household, &c. of, 1546

Queen's Colleges in Ireland, 1538

Royal Irish Academy, 1542, 1544

Valuation of Property, Comm. *cl.* 3, 27; *cl.* 16, 63

Weights and Measures, Comm. *cl.* 1, Motion for reporting Progress, 409, 410

Parochial Charities (Metropolis) — The Commission

Question, Mr. Fawcett; Answer, Mr. Assheton Cross *June* 27, 327

Parochial Charities of London—Legislation

Questions, Mr. Fawcett; Answers, Mr. Assheton Cross *June* 27, 327; *July* 11, 1244; *July* 18, 1852

PEASE, Mr. J. W., *Durham, S.*

Contagious Diseases (Animals), 2R. 534; Comm. *cl.* 2, 1699; *cl.* 10, 1859, 1864; *cl.* 15, 1872; *cl.* 16, 1898; *cl.* 22, 1989, 1996; Amendt. 2000; *cl.* 31, 2080, 2082; *cl.* 34, 2085; *cl.* 53, 2091, 2092; *cl.* 54, 2095; *cl.* 55, 2097, 2100, 2126

Education Department — Education Minute, 1876—"Unnecessary Schools," 1576

Education—Inspectors of Elementary Schools, 826

Habitual Drunkards, 2R. 708

Highways, Comm. *cl.* 20, 1081, 1083; *add. cl.* Amendt. 1340, 1341, 1357

PEEL, Mr. A. W., *Warwick Bo.*

Contagious Diseases (Animals), 2R. 175, 397; Comm. *cl.* 22, 1995

Contagious Diseases (Animals) [Salaries, Compensations, &c.], Comm. 1606

Highways, Comm. *add. cl.* 1363

Select Committee on Cattle Plague, 1877—Cattle from Ireland, 123

PELL, Mr. A., *Leicestershire, S.*

Contagious Diseases (Animals), 2R. 236; Comm. *cl.* 2, 1698, 1706, 1718; *cl.* 21, 1914; *cl.* 55, Amendt. 2096, 2097, 2099

Education Department—School Fees, 761

Education—School Board Schools and Savings Banks, 820

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PELL, Mr. A.—*cont.*
Highways, Comm. 464; *cl.* 18, Amendt. 884, 889; *cl.* 20, Amendt. 898; *cl.* 21, 1092; *add. cl.* 1110, 1158, 1160
Poor Law Amendment Act (1876) Amendment, Lords Amendts. Consid. 941, 1037, 1045
Removal of Paupers, Res. 681
Valuation of Property, Comm. *cl.* 5, 34; *cl.* 8, Amendt. 37, 40, 45, 51, 56; *cl.* 16, 61

PERCY, Right Hon. Earl, *Northumberland, N.*
Ecclesiastical Buildings (Fire Insurance), Comm. 581
Habitual Drunkards, 2R. 709
Militia Reserve Act—Non-commissioned Officers, 496

PERKINS, Sir F., *Southampton*
Cattle Disease—Importation of Foreign Cattle, 962
Contagious Diseases (Animals) [Salaries, Compensations, &c.], Comm. 1605
Police Superannuation Funds, 491

Permissive Prohibitory Liquor Bill
(*Sir Wilfrid Lawson, Sir Thomas Bazley, Mr. Johnston, Mr. Richard, Mr. Dalway, Dr. Cameron, Mr. Downing*)
c. Moved, "That the Bill be now read 2°" *June* 26, 251
Amendt. to leave out "now," and add "upon this day three months" (*Mr. Wheelhouse*); Question proposed, "That 'now,' &c.;" Question put; A. 115, N. 278; M. 194 (D. L. 187)
Words added; main Question, as amended, put, and agreed to; 2R. put off for three months

Petty Sessions Clerks and Fines (Ireland) Bill (*Mr. Attorney General for Ireland, Mr. James Lowther*)
c. Ordered; read 1°* *July* 10 [Bill 253]

PHIPPS, Mr. P., *Northampton*
Contagious Diseases (Animals), 2R. 544

Pier and Harbour Orders Confirmation (No. 1) Bill
(*The Lord Henniker*)
l. Committee*; Report *June* 28 (No. 109)
Read 3ª* *July* 1
Royal Assent *July* 4 [41 & 42 *Vict.* c. cxiv]

Pier and Harbour Orders Confirmation (No. 2) Bill
(*The Lord Henniker*)
l. Committee*; Report *June* 21 (No. 110)
Read 3ª* *June* 25
Royal Assent *July* 4 [41 & 42 *Vict.* c. cxv]

PIM, Captain B., *Gravesend*
Admiralty—Accountant General of the Navy, 855, 1849
Admiralty and War Office (Retirement of Officers), Comm. 1370; *cl.* 1, 1375; Motion for reporting Progress, 1376, 1377; *cl.* 2, Amendt. 1379, 1381, 1386, 1387
Mercantile Marine—Training Schools and Ships, 963
Navy—H.M.S. "Eurydice," 120
Naval Artillery Volunteers, 1849

PLAYFAIR, Right Hon. Mr. Lyon, *Edinburgh and St. Andrew's Universities*
Contagious Diseases (Animals), 2R. 335, 346, 382; Comm. *cl.* 21, Amendt. 1908; *cl.* 30, 2073; *cl.* 32, 2084
Education Grants in Scotland, 810
Elementary Education Code—Natural Science, Res. 792
Habitual Drunkards, 2R. 720
Mining Disasters, Res. 78
Supply—Royal Irish Academy, 1544

PLIMSOLL, Mr. S., *Derby Bo.*
Mining Disasters, Res. 87

PLUNKET, Hon. D. R., *Dublin University*
Eastern Question—The Marquess of Hartington's Resolutions, 2049
Intermediate Education (Ireland), 2R. 1518
Sergeant M'Carthy, Case of, Motion for an Address, 1409

Police Expenses Act Continuance Bill
(*Sir Henry Selwin-Ibbetson, Mr. Chancellor of the Exchequer*)
c. Ordered; read 1°* *July* 11 [Bill 256]
Read 2°* *July* 12
Committee*—R.P. *July* 15
Committee*; Report *July* 17
Read 3°* *July* 18
l. Read 1ª* (*Lord President*) *July* 19 (No. 165)

Police Superannuation Funds—Legislation
Question, Sir Frederick Perkins; Answer, Mr. Assheton Cross *July* 1, 491

Political Prisoners Bill
(*Mr. O'Connor Power, Sir Wilfrid Lawson, Mr. Joseph Cowen, Mr. O'Donnell*)
c. 2R., after short debate, Debate adjourned *July* 3, 735 [Bill 84]

Pollution of Rivers Act, 1876 — *Legal Proceedings*
Question, Sir Ughtred Kay-Shuttleworth; Answer, Mr. Sclater-Booth *July* 12, 1333

Poor Law Amendment Act (1876) Amendment Bill
(*The Earl of Shaftesbury*)

l. Committee; Report, after short debate *June* 24, 107 (No. 99)
Read 3ª, after short debate *June* 27, 300
c. Question, Mr. Goschen; Answer, Mr. Sclater-Booth *July* 5, 855
Moved, "That the Lords Amendts. be now taken into Consideration" *July* 5, 939; after short debate, Motion withdrawn; Lords Amendts. to be considered upon Monday next
Order for Consideration of Lords Amendts. read *July* 8, 1037; Lords Amendts. considered; one agreed to; several disagreed to
Committee appointed, "to draw up Reasons to be assigned to The Lords for disagreeing to certain of their Amendts. to the Bill; List of the Committee, 1047
l. Commons Reasons for disagreeing to some of the Amendts. made by The Lords, considered *July* 15, 1436
Moved, "Not to insist on the Amendt. to which the Commons have disagreed" (*The Earl of Shaftesbury*); after short debate, on Question, Whether to insist? Cont. 41, Not-Cont. 27; M. 14; resolved in the affirmative
List of Cont. and Not-Cont., 1440
And a Committee appointed to prepare reasons to be offered to the Commons for the Lords insisting on their amendments; The Committee to meet forthwith; Report from Committee of reasons prepared by them; read, and agreed to; and a message sent to the Commons to return the said Bill with the reasons
c. Questions, Mr. Mellor, Sir H. Drummond Wolff; Answers, The Chancellor of the Exchequer *July* 22, 2061

Poor Law—Removal of Paupers
Question, Mr. French; Answer, Mr. Sclater-Booth *June* 27, 324
Moved, "That the Laws under which the destitute poor receiving relief from the poor's rate are subject to removal in England and Scotland in their operation inflict many wrongs and cause great sufferings; that they are unjust and impolitic; therefore, That, in the opinion of this House, the said Laws ought to be so amended as that every poor person who shall have maintained himself or herself for twelve months by some industrial occupation in any parish, combination of parishes, or union in England, Wales, or Scotland, previously to receiving such relief, shall not be subject to removal therefrom" (*Mr. M'Carthy Downing*) *July* 2, 653
Amendt. to leave out from "inflict," and add "hardships, and requires consideration with a view to their amendment" (*Mr. Verner*) *v.*; Amendt. and Motion withdrawn
Resolved, That the Laws under which the destitute poor receiving relief from the poor's rate are subject to removal in England and Scotland in their operation inflict hardships, and require consideration with a view to their amendment (*Mr. M'Carthy Downing*)

Poor Law—The Basingstoke Union Casuals
Question, Mr. Serjeant Spinks; Answer, Mr. Sclater-Booth *July* 4, 759

PORTMAN, Viscount
Conway Bridge (Composition of Debt), 2R. 486

PORTMAN, Hon. W. H. B., *Dorsetshire*
Belfast Improvement, Lords Amendts. Consid. 1064

Post Office
Money Order Department—Boy Clerks, Question, Sir Charles W. Dilke; Answer, Lord John Manners *July* 19, 1969
Porterage on Telegrams, Question, Mr. A. H. Brown; Answer, Lord John Manners *July* 15, 1467

POTTER, Mr. T. B., *Rochdale*
India—Famine—Mortality, 321
Real Estate Intestacy, 2R. 1163, 1200

POWER, Mr. J. O'Connor, *Mayo*
Education (Ireland)—Irish Language, 763
Intermediate Education (Ireland), 2R. 1524
Sale of Intoxicating Liquors on Sunday (Ireland), Consid. 1294, 1296
Sergeant M'Carthy, Case of, Motion for an Address, 1416

POWER, Mr. R., *Waterford*
Sale of Intoxicating Liquors on Sunday (Ireland), 963; Consid. 1299

POWERSCOURT, Viscount
Public Health (Ireland), 2R. 852; Comm. *cl.* 38, Amendt. 1051, 1052

POWIS, Earl of
London and North Western Railway (Additional Powers), 3R. 740
Truro Chapter, Comm. *cl.* 10, Amendt. 118

PRICE, Captain G. E., *Devonport*
Navy—Greenwich Hospital Pensioners, 1470

Prison Discipline—Personal Search
Questions, Mr. Mitchell Henry; Answers, Mr. Assheton Cross *July* 18, 1846

Prison (Officers' Superannuation) Bill
(*Sir Henry Selwin-Ibbetson, Mr. Secretary Cross*)
c. Considered in Committee * *July* 19
Resolution reported, and agreed to; Bill ordered; read 1° * *July* 22 [Bill 269]

Prisons Authorities Act, 1874, Amendment Bill [H.L.]
(*The Viscount Gordon*)

l. Presented; read 1ª *June* 25, 209 (No. 134)
Read 2ª * *June* 27
Committee *; Report *July* 1
Read 3ª * *July* 4
c. Read 1° * (*Mr. Assheton Cross*) *July* 8
Read 2° * *July* 16 [Bill 246]

Provisional Orders (Ireland) Confirmation (Dungarvan, &c.) Bill [H.L.]
(*The Lord President*)
l. Royal Assent *July* 4 [41 & 42 *Vict.* c. cxvi]

Public Health Act
Fatal Bathing Accidents—Scarborough, Question, Mr. Gourley; Answer, Mr. Sclater-Booth *July* 15, 1466
Sanitary Condition of Ascot, Question, Mr. Walsh; Answer, Mr. Sclater-Booth *July* 4, 757

Public Health Act (1875) Amendment Bill (*The Earl of Kimberley*)
l. Report *June* 21, 1 (No. 131)
Moved, "That the Bill be now read 3ª" *June* 25, 205
Amendt. to leave out ("now,") and insert ("this day six months") (*The Earl De La Warr*); after short debate, on Question, That ("now,") &c.; resolved in the affirmative; Bill read 3ª
c. Lords Amendts. considered *July* 1, 580; after short debate, Lords Amendts. agreed to
l. Royal Assent *July* 4 [41 & 42 *Vict.* c. 25]

Public Health (Ireland) Bill (*Sir Michael Hicks-Beach, Mr. Attorney General for Ireland*)
c. Considered * *June* 21 [Bill 199]
Read 3°, after short debate *June* 24, 198
l. Read 1ª * (*Lord President*) *June* 25 (No. 133)
Read 2ª *July* 5, 851
Committee *July* 9, 1051
Report * *July* 11
Read 3ª * *July* 15

Public Health (Scotland) Provisional Order (Lochgelly) Bill
(*The Lord President*)
l. Royal Assent *July* 4 [41 & 42 *Vict.* c. cvi]

Public Works Loans (Ireland) Act (1877) Amendment Bill
(*Mr. James Lowther, Sir Henry Selwin-Ibbetson*)
c. Committee—R.P. *June* 21, 66 [Bill 219]
Committee; Report *June* 24, 200
Read 3° * *June* 25
l. Read 1ª * (*Lord President*) *June* 27 (No. 137)
Read 2ª *; Committee negatived *July* 1
Read 3ª * *July* 2
Royal Assent *July* 4 [41 & 42 *Vict.* c. 24]

PULESTON, Mr. J. H., *Devonport*
Eastern Question—Anglo-Turkish Convention—Tribute of Cyprus, 2051
Masters and Servants—Liability of Employers, 1244

RAIKES, Mr. H. C. (Chairman of Committees of Ways and Means), *Chester*
Admiralty and War Office (Retirement of Officers), Comm. *cl.* 2, 1379
Belfast Improvement, Lords Amendts. Consid. 1066

RAIKES, Mr. H. C.—*cont.*
Contagious Disease (Animals), Comm. *cl.* 2, 1635, 1724; *cl.* 21, 1912; *cl.* 22, 1987; *cl.* 30, 2068; *cl.* 55, 2112, 2113, 2119, 2120, 2121
East London Railway (Payment of Debts), 2R. 1227
Epping Forest, Comm. Schedule, 579
Freshwater Fish Protection, Comm. *cl.* 7, 1035
Highways, Comm. *cl.* 11, 475, 477, 478; *cl.* 18, 895; *cl.* 19, 896, 898; *cl.* 20, 900, 1079; *cl.* 21, 1091; *cl.* 24, 1100; *add. cl.* 1162, 1344
Medical Act (1858) Amendment (No. 2), 100
Supply—Queen's Colleges, Ireland, 1542
Valuation of Lands (Scotland) Amendment, Comm. 1942
Valuation of Property, Comm. *cl.* 10, 59; *cl.* 16, 61

Railways
Continuous Brakes, Question, Mr. M'Arthur; Answer, Viscount Sandon *July* 15, 1471
Railway Accidents—Platforms, Footboards, &c. Question, Observations, Lord Cottesloe; Reply, Lord Henniker *July* 12, 1330
The Fatal Accident to Sir Francis Goldsmid, Question, Mr. Isaac; Answer, Viscount Sandon *June* 25, 210; Question, Observations, The Duke of St. Albans, Lord Cottesloe, Lord Norton, Lord Truro; Reply, Lord Henniker *June* 27, 310
Train Management, Question, Major O'Gorman; Answer, Viscount Sandon *June* 21, 20

RAMSAY, Mr. J., *Falkirk, &c.*
Contagious Diseases (Animals), Comm. *cl.* 62, 2138, 2139
Education Grants in Scotland, 802, 807
Elementary Education Code—Natural Science, Res. 785, 787
Marriage Preliminaries (Scotland), Consid. *cl.* 8, Amendt. 846, 847
Parliament—Progress of Public Business, Res. 1478
Roads and Bridges (Scotland), Consid. 607; *add. cl.* 635; *cl.* 36, Amendt. 649; *cl.* 88, 837, 841
Valuation of Lands (Scotland) Amendment, Comm. 1946, 1947
Valuation of Property, Comm. *cl.* 8, 49
Weights and Measures, Comm. *cl.* 74, Amendt. 412

RATHBONE, Mr. W., *Liverpool*
Army—Army and Militia Reserves, 2052
China—Famine, 328
Contagious Diseases (Animals), 2R. Motion for Adjournment, 197, 211; Comm. 1014
Criminal Law, (Indictable Offences), 763
Education—Inspectors of Elementary Schools, 822
Highways, Comm. *cl.* 11, 872
Military Forces of the Crown—The Reserve Men, 759
Removal of Paupers, Res. 672, 681
Spain—Fiscal Legislation—Duties on British Goods, 1581

[*cont.*

READ, Mr. Clare S., *Norfolk, S.*
Contagious Diseases (Animals), 2R. 380, 397, 510; Comm. 994; *cl.* 2, 1703; *cl.* 10, 1858; *cl.* 15, 1871, 1882; *cl.* 16, 1889, 1897; *cl.* 21, 1917, 1919; *cl.* 22, 1932, 1989; Amendt. 1992; *cl.* 30, Amendt. 2017; *cl.* 31, 2082; *cl.* 53, 2091; *cl.* 54, 2094; *cl.* 55, 2099, 2125
Contagious Diseases (Animals) [Salaries, Compensations, &c.], Comm. 1589
Habitual Drunkards, 2R. 708, 714
Highways, Comm. *cl.* 18, 886, 892; *cl.* 20, 1079, 1082; *cl.* 21, 1090, 1092; *cl.* 23, Amendt. 1097; *cl.* 25, 1102; *cl.* 31, 1107; *add. cl.* 1158
Valuation of Property, Comm. *cl.* 8, 49; *cl.* 10, Amendt. 57, 59; *cl.* 16, 62, 64

Real Estate Intestacy Bill
(*Mr. Potter, Mr. Leatham, Mr. Hopwood, Mr. Price, Sir Wilfrid Lawson, Mr. Anderson*)
c. Moved, "That the Bill be now read 2°" *July* 10, 1163
Amendt. to leave out "now," and add "upon this day three months" (*Mr. Gregory*); Question proposed, "That 'now,' &c.;" after debate, Question put; A. 157, N. 193; M. 36 (D. L. 204)
Words added; Main Question, as amended, put, and agreed to; 2R. put off for three months

REDESDALE, Earl of (Chairman of Committees)
Ballymena and Larne Railway, 3R. 105, 106
Conway Bridge (Composition of Debt), 2R. 488
Monuments (Metropolis), Comm. 5
Poor Law Amendment Act (1876) Amendment, 111; *cl.* 1, 114; 3R. 302, 310; Commons Amendts. Consid. 1439
Roads and Bridges (Scotland), 2R. 1959, 1966
Tramways Orders Confirmation (No. 1), Comm. Amendt. 1445
Tramways (Use of Mechanical Power), 203

REPTON, Mr. G. W. J., *Warwick*
Sale of Intoxicating Liquors on Sunday (Ireland), 964

RICHMOND AND GORDON, Duke of (Lord President of the Council)
Conway Bridge (Composition of Debt), 2R. 485
Cyprus, Island of—Sanitary Condition, 1434, 1436;—Slavery, 1225, 1226
Dental Practitioners, 2R. 300
Dublin University Commission, Report, 956
Eastern Question—Congress at Berlin, 1201, 1427;—Convention with Turkey, 1050
Ecclesiastical Commissioners—Case of Mr. Armstrong, 749, 752
Epping Forest, 2R. 1201
Foreign Office—Abstraction of a Document—Memorandum of Agreement between England and Russia, 481, 482
Ireland, Crime in—Returns, 849
Metropolis—Hyde Park—Shelters, 954, 955
Poor Law Amendment Act (1876) Amendment, Comm. 111; 3R. 302
Public Health (Ireland), 2R. 851; Comm. 1051

RICHMOND AND GORDON, Duke of—*cont.*
Roads and Bridges (Scotland), 2R. 1950, 1961, 1963; Comm. *cl.* 37, 2045, 2047; *cl.* 41, *ib*; *cl.* 89, 2048
Tramways (Use of Mechanical Power), 204
Turkey—Reported Defensive Treaty with, 952

RIDLEY, Sir M. W. (Under Secretary of State for the Home Department), *Northumberland, N.*
Freshwater Fish Protection, Comm. *cl.* 7, 1034; *cl.* 11, 1036, 1037
Habitual Drunkards, 2R. 721
Permissive Prohibitory Liquor, 2R. 294

RITCHIE, Mr. C. T., *Tower Hamlets*
Army—Recruiting Sergeants, 1470
Contagious Diseases (Animals), 2R. 183; Personal Explanation, 331; Comm. *cl.* 2, Amendt. 1701; *cl.* 9, 1735
Epping Forest, Comm. 575; 3R. 774
Valuation of Property, Comm. *cl.* 3, 32

Roads and Bridges (Scotland) Bill
(*The Lord Advocate, Sir Henry Selwin-Ibbetson*)
c. Moved, "That the Bill be now taken into Consideration" *July* 2, 590
Amendt. to leave out from "be" and add "referred to a Select Committee, with an Instruction to hear parties on whom exceptional local rates may be imposed by new Clause 88, by themselves, their counsel, or agents, against such exceptional local rates" (*Mr. Anderson*) *v.*; Question proposed, "That the words, &c.;" after debate, Question put; A. 123, N. 81; M. 42 (D. L. 191)
Main Question put, and agreed to; Bill considered; after long debate, further Proceeding adjourned
Further Proceeding resumed *July* 4, 826
Question, "That the Bill, as amended, be now taken into Consideration," put, and agreed to
Moved, "That the Bill be now read 3°" *July* 9, 1071
Amendt. to leave out "now," and add "upon this day three months" (*Mr. Anderson*); Question proposed, "That 'now,' &c.;" after short debate, Question put, and agreed to
Main Question put, and agreed to; Bill read 3°
l. Read 1ª * (*Lord President*) *July* 11 (No. 157)
Moved, "That the Bill be now read 2ª" *July* 19, 1950; after short debate, Question put, and agreed to
Moved, "That the Bill be referred to a Select Committee" (*The Earl of Rosebery*); after debate, on Question? resolved in the negative
Committee *July* 22, 2044

RODWELL, Mr. B. B. H., *Cambridgeshire*
Contagious Diseases (Animals), 2R. Motion for Adjournment, 408, 500; *cl.* 10, 1859; *cl.* 55, 2104
Highways, Comm. *add. cl.* 1352, 1357
Licensing Laws Amendment, 1576
Valuation of Property, Comm. *cl.* 16, 60, 63

ROSEBERY, Earl of
General Police and Improvement (Scotland) Act, 1862, Amendment, 2R. 744
Roads and Bridges (Scotland), 2R. Amendt. 1955, 1963 ; Comm. *cl.* 89, Amendt. 2047

Roumania—Commercial Treaty
Question, Mr. Serjeant Spinks ; Answer, Mr. Bourke *July* 22, 2053

RUSSELL, Sir C., *Westminster*
Weights and Measures, Comm. *cl.* 1, 409 ; *cl.* 43, Amendt. 411

RUTLAND, Duke of
Metropolis—Hyde Park—Shelters, 953, 955

RYLANDS, Mr. P., *Burnley*
Contagious Diseases (Animals), 2R. 515 ; Comm. *cl.* 22, 1996 ; *cl.* 30, 2064 ; Amendt. 2068, 2075, 2078 ; *cl.* 34, 2086 ; *cl.* 55, 2136
Contagious Diseases (Animals) [Salaries, Compensations, &c.], Comm. 1586, 1605
Eastern Question — Annex to the Anglo-Turkish Treaty, Notice of Question, 2050
Highways, Comm. 460 ; *cl.* 1, 465 ; *cl.* 11, 859 ; Amendt. 874, 876 ; *cl.* 13, 882 ; *cl.* 18, 887, 895 ; *cl.* 20, 900, 1078 ; *cl.* 31, Amendt. 1104, 1108
Law and Justice—Fines on Jurymen, 1236
Turnpike Roads Return, 1070
Valuation of Property, Comm. *cl.* 3, 23 ; *cl.* 5, 35 ; *cl.* 8, 46 ; *cl.* 16, 62, 66

ST. ALBANS, Duke of
Railways—Sir Francis Goldsmid, Fatal Accident to, 310

Sale of Food and Drugs Act (1875) Amendment Bill
(*Mr. Anderson, Sir Wilfrid Lawson, Mr. P. A. Taylor, Mr. Whitwell*)
c. Ordered ; read 1° * *July* 9 [Bill 252]
Read 2° * *July* 15

Sale of Intoxicating Liquors on Sunday (Ireland) Bill (*The O'Conor Don, Mr. Richard Smyth, Mr. Charles Lewis, Mr. James Corry, Mr. William Johnston, Mr. Dease, Mr. Dickson, Mr. Redmond*)
c. Consideration, as amended, deferred till Thursday, 11th July *June* 27, 413
Questions, Mr. R. Power, Mr. Repton ; Answers, The O'Conor Don, Mr. Speaker *July* 8, 963
Moved, "That the Bill be now taken into Consideration" *July* 11, 1248
Amendt. to leave out "now," and add "upon this day three months" (*Mr. Onslow*) ; Question proposed, "That 'now' &c. ;" after long debate, Question put ; A. 166, N. 55 ; M. 111 (D. L. 205)
Main Question, "That the Bill be now taken into Consideration," put, and agreed to ; Bill considered
After long time, Moved, "That the Debate be now adjourned" (*Sir Joseph M'Kenna*) ; after further short debate, Motion withdrawn

SALISBURY, Marquess of (Secretary of State for Foreign Affairs)
Cyprus—Slavery, 1948
Eastern Question—Congress—Correspondence and Protocols, 1779, 1804, 1807, 1809, 1810, 1811, 1816

SAMUDA, Mr. J. D'A., *Tower Hamlets*
Epping Forest, Comm. 574

SAMUELSON, Mr. B., *Banbury*
Elementary Education Code—Natural Science, Res. 785
Turkey—Cyprus, Occupation of, 1242

SANDON, Right Hon. Viscount (President of the Board of Trade), *Liverpool*
Captain Hooper's Life-Saving Apparatus, 1851
Contagious Diseases (Animals), 2R. 241, 242
Dublin, Wicklow, and Wexford Railway, 1234
Mercantile Marine—Miscellaneous Questions
  Coal Laden Ships, 1967
  Spontaneous Combustion of Coal—"Annie Richmond," 490
  Training School Ships, 963
Railways—Miscellaneous Questions
  Continuous Brakes, 1471
  Sir Francis Goldsmid, Death of, 210
  Train Management, 20

SANDWICH, Earl of
Ecclesiastical Commissioners — Case of Mr. Armstrong, 744, 752

SCLATER-BOOTH, Right Hon. G. (President of the Local Government Board), *Hampshire, N.*
Bathing Accidents, Fatal—Scarborough, 1466
Highways—Bicycles on Highways, 324
Highways, Comm. 461, 464 ; *cl.* 1, 465 ; *cl.* 4, 466, 468 ; *cl.* 5, Amendt. 469 ; *cl.* 7, Amendt. *ib.*, 470, 471, 472 ; *cl.* 8, Amendt. *ib.* ; *cl.* 9, *ib.* ; *cl.* 11, 473, 475, 476, 477, 478 ; Motion for reporting Progress, 479 ; Amendt. 857, 862, 873, 876, 877, 880 ; *cl.* 13, Amendt. 881, 882 ; *cl.* 14, 883 ; *cl.* 16, Amendt. *ib.* ; *cl.* 18, *ib.*, 884, 885, 886, 890, 894, 895 ; *cl.* 19, 897 ; *cl.* 20, Amendt. 898, 899, 900, 1079, 1080, 1081 ; *cl.* 21, 1084, 1085 ; Amendt. 1086, 1087, 1090, 1091, 1092, 1093 ; *cl.* 22, 1094 ; Amendt. 1095 ; *cl.* 23, 1097, 1098 ; *cl.* 24, 1100, 1101 ; *cl.* 25, *ib.*, 1102 ; *cl.* 27, 1103 ; *cl.* 31, 1106 ; Amendt. 1108 ; *add. cl.* 1109 ; Motion for reporting Progress, 1112, 1153, 1157, 1161, 1241, 1337 ; Amendt. 1340, 1341, 1342, 1346, 1352, 1355, 1356, 1357, 1358, 1360, 1361, 1362, 1363, 1366
Metropolis—Water Supply in South London, 1238
Parliament—Business of the House, 331
  Order of Business, 763
Pollution of Rivers Act, 1876—Legal Proceedings, 1333
Poor Law—Basingstoke Union Casuals, 759
  Paupers, Removal of, 325

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Sclater-Booth, Right Hon. G.—*cont.*
  Poor Law Amendment Act (1876) Amendment, 856; Lords Amendts. Consid. 942, 1041, 1042, 1045
  Public Health (Metropolis) — Deaths from Small-Pox in London, 589
  Public Health—Sanitary Condition of Ascot, 757
  Removal of Paupers, Res. 677
  Roads and Bridges (Scotland), 3R. 1072
  Supply—Local Government Board, Ireland, 1557
  Turnpike Roads Return, 1070
  Valuation of Property, Comm. *cl.* 2, 21; *cl.* 3, 23, 27, 34; *cl.* 5, *ib.*; *cl.* 7, 36; *cl.* 8, 37, 39, 41, 43, 48, 55, 56; *cl.* 9, 57; *cl.* 10, 59; *cl.* 11, 60; *cl.* 16, 61, 62, 66

Scotland
 Miscellaneous Questions
  Education Grants in Scotland, Observations, Mr. Mark Stewart; short debate thereon *July* 4, 797
  Education Report, Question, Sir Edward Colebrooke; Answer, Lord George Hamilton *July* 1, 493
  The Judicial Body, Question, Sir George Campbell; Answer, Mr. Assheton Cross *July* 18, 1850

Scotland—Hypothec
  Moved, "That, in the opinion of this House, the landlord's right of Hypothec for the rent of land in Scotland is detrimental to the interests of tenant farmers, and unnecessary to protect those of landlords, and ought to be abolished, due provision being made to secure the rights of parties under existing contracts" (*Mr. Vans Agnew*) *June* 25, 250
  [House counted out]

Scott, Mr. M. D., *Sussex, E.*
  Highways, Comm. *add. cl.* 1356, 1358

Seely, Mr. C., *Lincoln City*
  Contagious Diseases (Animals), Comm. *cl.* 55, 2127

Selborne, Lord
  Criminal Law (Indictable Offences), 950
  Eastern Question—Congress—Correspondence and Protocols, 1809
  Foreign Office—Abstraction of a Document—Memorandum of Agreement between England and Russia, 481
  Marriage Preliminaries (Scotland), 2R. 1432

Selwin-Ibbetson, Sir H. J. (Secretary to the Treasury), *Essex, W.*
  Admiralty and War Office (Retirement of Officers), Comm. 1382; *cl.* 4, 1684
  Arklow Harbour (Ireland), 1848
  Cattle Disease—Importation of Foreign Cattle 960, 961, 962
   Inoculation, 1465
  Civil Service—Admiralty and War Office (Retirement of Officers), 2060
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Selwin-Ibbetson, Sir H. J.—*cont.*
  Contagious Diseases (Animals), 2R. 133, 530, 563, 565; Comm. 973, 977, 990, 1026, 1070; *cl.* 2, 1609, 1612, 1627, 1675, 1723; *cl.* 5, Amendt. 1725, 1726; *cl.* 9, 1737, 1741, 1745, 1747, 1749, 1750; *cl.* 10, 1855, 1857, 1860, 1861, 1864; *cl.* 15, Amendt. 1865, 1876, 1882; *cl.* 16, 1884, 1886, 1889, 1894, 1895, 1900; *cl.* 21, 1908, 1909, 1910, 1912, 1913; Amendt. 1918, 1919, 1920, 1922; *cl.* 22, 1924, 1927, 1929, 1931, 1933, 1935, 1974, 1982, 1986, 1989, 1990, 1992, 1998, 2001, 2002; Amendt. 2003, 2005, 2006, 2007; *cl.* 23, 2008; *cl.* 24, 2009; *cl.* 26, Amendt. *ib.*; *cl.* 28, 2010; *cl.* 29, Amendt. 2012, 2013, 2014, 2016; *cl.* 30, 2017, 2068; Amendt. 2071, 2072, 2074, 2076, 2078; *cl.* 31, 2080, 2081; *cl.* 32, 2083, 2084; *cl.* 33, 2085; *cl.* 34, Amendt. *ib.*, 2086; *cl.* 37, *ib.*, 2087; *cl.* 38, *ib.*; *cl.* 39, 2089; *cl.* 44, Amendt. *ib.*, 2090; *cl.* 45, Amendt. *ib.*; *cl.* 52, Amendt. *ib.*; *cl.* 53, 2091, 2092, 2093; *cl.* 54, *ib.*, 2094, 2095; *cl.* 55, 2096, 2098, 2099, 2100, 2115, 2116, 2118, 2119, 2123, 2124, 2126, 2128, 2134; *cl.* 59, 2137; *cl.* 62, 2139; *cl.* 64, 2140
  Contagious Diseases (Animals) [Salaries, Compensations, &c.], Comm. 1582, 1586, 1588, 1592, 1606, 1607, 1608; Amendt. 1687, 1693
  Corrib (Galway) River, 2R. 844
  Customs Re-organization, 323
  Dog Licences, 323
  Epping Forest, Comm. 574; *cl.* 13, 577, 579; *cl.* 29, *ib.*; 3R. 770, 771, 776
  Habitual Drunkards, 2R. 719
  Harbour Loans, 490
  Inland Navigation (Ireland), 1466
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  Municipal Corporations Acts, 2R. 1030, 1031
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  Supply—Royal Irish Academy, 1543, 1544
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Severne, Mr. J., *Shropshire*
  Highways, Comm. 456; *cl.* 4, Amendt. 467; *cl.* 14, Amendt. 882; *cl.* 18, Amendt. 885, 893; *cl.* 21, Amendt. 1087; *cl.* 25, Amendt. 1101; *cl.* 29, Amendt. 1103

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  Cyprus, Island of—Slavery, 1224
  Poor Law Amendment Act (1876) Amendment, Comm. 107; *cl.* 1, 114, 117; Re-comm. 307, 310; Commons Amendts. Consid. Amendt. 1436

Shaw, Mr. W., *Cork Co.*
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Sheridan, Mr. H. B., *Dudley*
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SMITH, Right Hon. W. H. (First Lord of the Admiralty), *Westminster*
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- Eastern Question—Mediterranean Fleet—Detention of British Seamen, 1853, 1971
- Greenwich Hospital Funds, 1844
- Navy—Miscellaneous Questions
  - Accountant General of the Navy, 1850
  - Boiler Committee, 588
  - Greenwich Hospital Pensioners, 1470
  - H.M.S. "Eurydice," 120, 121
  - Indian Troops and Stores—Contracts for Transport, 125
  - Naval Artillery Volunteers, 1849
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SMYTH, Mr. P. J., *Westmeath Co.*
- Sale of Intoxicating Liquors on Sunday (Ireland), Consid. 1258; *add. cl.* 1301; *cl.* 1, 1312, 1313, 1314

SMYTH, Mr. R., *Londonderry Co.*
- Criminal Law (Ireland)—Medical Witnesses, 491

SOLICITOR GENERAL, The (Sir H. S. Giffard), *Launceston*
- Contagious Diseases (Animals), Comm. *cl.* 2, 1646
- Real Estate Intestacy, 2R. 1195, 1199
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- Army—Artillery—Muzzle-loading and Breech-loading Rifled Guns, Motion for Returns, 1328

Spain
- *Emigration Treaty with China*, Question, Mr. W. E. Forster; Answer, Mr. Bourke *July* 15, 1468
- *Fiscal Legislation—Duties on British Goods*, Question, Mr. Rathbone; Answer, Mr. Bourke *July* 16, 1581
- *Importation of Austrian Cattle from Spain*, Question, Mr. Anderson; Answer, Lord George Hamilton *July* 1, 492

SPEAKER, The (Right Hon. H. B. W. BRAND), *Cambridgeshire*
- Belfast Improvement, Lords Amendts. Consid. 1059, 1067, 1069
- Contagious Diseases (Animals), Personal Explanation, 332; Comm. 976
- Contagious Diseases (Animals) [Salaries, Compensations, &c.], Comm. 1584, 1591, 1691, 1697
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- Monuments (Metropolis), Lords Amendts. Consid. 846
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- Sale of Intoxicating Liquors on Sunday (Ireland), 964; Consid. 1266, 1267; *add. cl.* 1300, 1301, 1303; *cl.* 1, 1311, 1312, 1314
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SPENCER, Earl
- Intermediate Education (Ireland), 2R. 439; Comm. *cl.* 5, 584

SPINKS, Mr. Serjeant F. L., *Oldham*
- Poor Law—Basingstoke Union Casuals, 759
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STACPOOLE, Mr. W., *Ennis*
- Removal of Paupers, Res. 686
- Sale of Intoxicating Liquors on Sunday (Ireland), Consid. 1276; *cl.* 1, Motion for Adjournment, 1308, 1309, 1313

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- Parliamentary and Municipal Registration (Consolidated), 2R. 484
- Poor Law Amendment Act (1876) Amendment, 3R. 304

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- Army—Officers of Artillery and Engineers—Arrears of Pay, 760, 1239
- China—Chefoo Convention—Import of Opium, 127
- Elders Widows' Fund, 2R. 413
- India—Miscellaneous Questions
  - Civil and Military Employment—General Richard Strachey, 1463, 1464
  - Criminal Law—High Court of Madras, 756
  - Famine—Mortality, 321
  - Salt Tax, 447
  - Vernacular Press Act, 321, 494
- Weights and Measures, Comm. *cl.* 1, 409; *cl.* 16, Amendt. 410; *cl.* 20, Amendt. *ib.*; *cl.* 22, Amendt. 411; *cl.* 43, *ib.*; *cl.* 79, Amendt. 412; *cl.* 80, Amendt. *ib.*; *add. cl. ib.*; Amendt. 413

STANHOPE, Mr. W. T. W. S., *Yorkshire, W.R.*
- Highways, Comm. *cl.* 20, 1083; *cl.* 21, 1090; *add. cl.* 1344, 1360, 1362

STANLEY OF ALDERLEY, Lord
- Cyprus, Island of—Slavery, 1224
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- Monuments (Metropolis), Comm. 6

STANLEY, Hon. Colonel F. A. (Secretary of State for War), *Lancashire, N.*
  Admiralty and War Office (Retirement of Officers), Comm. 1369; *cl.* 2, 1425, 1680, 1682
  Army—Miscellaneous Questions
    Adjutants, Nationality of, 758
    Army and Militia Reserves, 759, 2052
    Half Pay—Royal Warrant, 2061
    Poisoning of Soldiers at Malta, 2059
    Purchase, Abolition of, 1235
    Recruiting Sergeants, 1470
    Regimental Debts Act, 132
  Army—Auxiliary Forces—Miscellaneous Questions
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  Eastern Question—Anglo-Turkish Convention—Indian Troops in Cyprus, 2055
    Indian Contingent—Cost, 1244
  Militia Reserve Act — Non-commissioned Officers, 496
  Turkey—Cyprus, Occupation of, 1242

STANSFELD, Right Hon. J., *Halifax*
  Highways, Comm. *cl.* 4, 466; *cl.* 7, 470; *cl.* 11, 474, 476, 477, 478, 864; *cl.* 18, 883, 885, 887, 893; *cl.* 21, 1086; *add. cl.* 1361
  Intermediate Education (Ireland), 2R. 1515
  Valuation of Property, Comm. *cl.* 3, 25, 33; *cl.* 8, 54; *cl.* 16, 64

STANTON, Mr. A. J., *Stroud*
  Contagious Diseases (Animals), 2R. 365
  Weights and Measures, Comm. *cl.* 16, Amendt. 410

STARKIE, Mr. J. P. C., *Lancashire, N.E.*
  Contagious Diseases (Animals), Comm. *cl.* 21, 1911
  Highways, Comm. 458

Statute Law Revision Bill [H.L.]
(*The Lord Chancellor*)
l. Read 2ª* *July* 8 (No. 114)
  Committee*; Report *July* 9
  Read 3ª* *July* 11
c. Read 1º* (*Mr. Attorney General for Ireland*) *July* 12 [Bill 263]
  Read 2º* *July* 15

STEWART, Mr. M. J., *Wigton Bo.*
  China—Chefoo Convention—Import of Opium, 127
  Contagious Diseases (Animals), 2R. 232
  Education Grants in Scotland, 797
  Japan—Treaty of 1858—Admission of Opium, 127
  Removal of Paupers, Res. 668, 670
  Roads and Bridges (Scotland), Consid. *cl.* 56, Amendt. 829, 830

STORER, Mr. G., *Nottinghamshire, S.*
  Contagious Diseases (Animals), Comm. *cl.* 16, 1905, 1935

SULLIVAN, Mr. A. M., *Louth Co.*
  Army—Auxiliary Forces—Royal Cumberland Militia, 2054
  Contagious Diseases (Animals), Comm. *cl.* 22, 1986
  Irish Church Act (1869) Amendment (No. 2), 2R. 1568
  Irish Land Act (1870), Res. 1136, 1139
  Parliament—Representation of Clare, 1462, 1463, 2060, 2061
  Sale of Intoxicating Liquors on Sunday (Ireland), Consid. 1267; *cl.* 2, 1318
  Supply—Irish Academy, 1542, 1543
    Local Government Board in Ireland, 1557
    Queen's Colleges in Ireland, 1538
  Valuation of Property, Comm. *cl.* 3, 28

SUPPLY
  The Supplementary Estimates, Question, Mr. Childers; Answer, The Chancellor of the Exchequer *July* 22, 2060
  Order for Committee read; Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair" *June* 28
    [House counted out]
  Order for Committee read; Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair" *July* 19
    [House counted out]

SUPPLY
  Considered in Committee *July* 15, 1537—CIVIL SERVICE ESTIMATES—CLASS IV.—EDUCATION, SCIENCE, AND ART
  Resolutions reported *July* 16, 1685
    First Resolution postponed
    Second to Ninth Resolutions, inclusive, agreed to
    Tenth Resolution; after short debate, Resolution agreed to
    Remaining Resolutions agreed to
    Postponed Resolution to be considered upon Monday next

Supreme Court of Judicature Act (Ireland) (1877) Amendment Bill
(*Mr. Attorney General for Ireland, Mr. James Lowther*)
c. Read 2º* *June* 24 [Bill 223]
  Committee*; Report *June* 26
  Read 3º* *June* 27
l. Read 1ª* (*Lord Chancellor*) *June* 28 (No. 139)
  Read 2ª *July* 8, 956
  Committee*; Report *July* 9
  Read 3ª* *July* 11
  Royal Assent *July* 22 [41 & 42 *Vict.* c. 27]

Supreme Court of Judicature (Officers) Bill [H.L.] (*The Lord Chancellor*)
l. Presented; read 1ª* *July* 12 (No. 158)
  Read 2ª* *July* 15
  Committee*; Report *July* 16
  Read 3ª* *July* 18
c. Read 1º* *July* 22 [Bill 268]

Synan, Mr. E. J., *Limerick Co.*
Contagious Diseases (Animals), 2R. 248, 332; Comm. *cl.* 2, 1616; *cl.* 10, 1858; *cl.* 15, 1883; *cl.* 16, Amendt. 1885, 1887, 1893; *cl.* 21, Amendt. 1910, 1912, 1913; *cl.* 22, Amendt. 1923, 1928, 1984, 1985, 2001, 2003, 2006, 2008; *cl.* 23, Amendt. *ib.*; *cl.* 28, 2010; *cl.* 30, 2078; *cl.* 54, 2093, 2095; *cl.* 55, 2099
Contagious Diseases (Animals) [Salaries, Compensations, &c.], 1597
Provisional Orders for Irish Waterworks, 856

Taylor, Mr. P. A., *Leicester Bo.*
Criminal Law—Ellen Heeson, Case of, 210
Greenwich Hospital Funds, 1844
India—Criminal Law—High Court of Madras, 756

Taylor, Mr. D., *Coleraine*
Grand Jury Law Amendment (Ireland), 1240
Tenant Right (Ireland), Consid. *cl.* 2, 1049

Telegraphs Bill [H.L.] (*The Lord Chancellor*)
l. Report of Select Comm.* *July* 1 [No. 141]
Bill reported * *July* 1
Committee * *July* 4 (No. 142)
Report * *July* 8
Read 3ª * *July* 9
c. Read 1° * (*Lord J. Manners*) *July* 12 [Bill 257]
2R. deferred *July* 18, 1941
Question, Mr. Whitwell; Answer, Lord John Manners *July* 22, 2057

Temple, Right Hon. W. F. Cowper-, *Hants, S.*
Epping Forest, 3R. 776

Tenant Right (Ireland) Bill
(*Lord Hill-Trevor, The Marquess of Hamilton, Mr. Mulholland, Captain Corry, Mr. Chaine*)
c. Adjourned Debate on Question [19th June], "That the Bill be now taken into Consideration" resumed *July* 5, 944; Question put, and agreed to; Bill considered
Amendt. to the Bill, in the words inserted in the Committee, at the end of Clause 2, viz., "the court, in determining the amount of compensation to be paid to any person making any such claim, shall take into consideration of the terms of the lease, the rent at which the premises were held, and any stipulation, proviso, covenant, or agreement therein contained or referred to for the erection of buildings or the making any improvements by the lessee," by leaving out from the word "into," in line 2, to the end of the said words, in order to insert the words "account in reduction of the claim any express stipulation, proviso, covenant, or agreement for the erection of buildings or making any other improvements by the lessee, contained or referred to in the lease, or subject to which the holding shall have been demised" (*Mr. Isaac*) *v.*; Question proposed, "That the words, &c."

[*cont.*

Tenant Right (Ireland) Bill.—cont.
After short debate, Moved, "That the Debate be now adjourned" (*Mr. Butt*); after further short debate, Question put; A. 19, N. 52; M. 33 (D. L. 198)
Moved, "That this House do now adjourn" (*Sir Joseph M'Kenna*); after short debate, Motion withdrawn
Further Proceeding on Consideration, as amended, deferred
Further Proceeding resumed *July* 8, 1048
Amendt. again proposed; Question again proposed; Moved, "That the Debate be now adjourned" (*Mr. Dillwyn*); Motion withdrawn
Original Question again proposed; Amendt. thereto withdrawn
An Amendt. to Clause 2 agreed to
Read 3° * *July* 9
l. Read 1ª * (*Earl of Longford*) *July* 11 (No. 156)

Thames River (Prevention of Floods) Bill
(*Sir James M'Garel Hogg, Sir Andrew Lusk, Mr. Forsyth*)
c. Adjourned Debate on Question [8th April] resumed *July* 12, 1389
Question put, and agreed to; Bill ordered; read 1° * [Bill 262]

Thornhill, Mr. T., *Suffolk, W.*
Highways, 1241

Torrens, Mr. W. T. M., *Finsbury*
Contagious Diseases (Animals), Comm. Amendt. 967, 1026
Sale of Intoxicating Liquors on Sunday (Ireland), Consid. 1292

Training Schools and Ships Bill
Question, Captain Pim; Answer, Viscount Sandon *July* 8, 963

Tramways (Ireland) Acts Amendment Bill (*Mr. Collins, The Marquess of Hamilton, Mr. Shaw, Mr. William Wilson*)
c. Order for Committee read; Moved, "That Mr. Speaker do now leave the Chair" *July* 1, 580
Committee deferred

Tramways Orders Confirmation (No. 1) Bill
l. Read 1ª * (*Lord Henniker*) *June* 21 (No. 130)
Read 2ª * *June* 25
Committee discharged, after short debate *July* 15, 1441

Tramways Orders Confirmation (No. 2) Bill (*Lord Henniker*)
l. Committee *; Report *June* 25 (No. 122)
Read 3ª * *July* 4
Royal Assent *July* 22 [41 & 42 *Vict.* c. clxiii]

Tramways Orders Confirmation (No. 3) Bill (*Lord Henniker*)
l. Read 2ª * *June* 25 (No. 128)
Order for Committee discharged *July* 15, 1448

Tramways (Use of Mechanical Power) Bills
l. Moved, "That the Orders of the 4th of February last, and of the 31st of May last, which limits the time for the second reading of Private Bills, be dispensed with in respect to the Blackburn and Over-Darwen Tramways Bill; Glyn Valley Tramway Bill; Belfast Street Tramways Bill; Aberdeen District Tramways Bill; Boston District Tramways Bill; and Wallasey Tramways Bill; in order that the Bills be now read a second time" (*The Earl of Redesdale*) *June* 25, 203; Motion agreed to
Orders of February 4 and May 31 dispensed with
Moved, "That the said Bills be now read 2ª" (*The Earl of Redesdale*); Motion agreed to; Bills read 2ª
Moved, "That a Message be sent to the Commons for the Report of the Select Committee of that House, together with the Minutes of Evidence, &c" (*The Duke of Richmond and Gordon*); Motion agreed to

TREVOR, Lord A. E. HILL-, *Downshire*
Tenant Right (Ireland), Consid. *cl.* 2, 945, 947

TRURO, Lord
Army—Artillery—Muzzle-loading and Breech-loading Rifled Guns, Motion for Returns, 1329
Army (India)—Indian Staff Corps, 1459
London and North-Western Railway (Additional Powers), 3R. 741
Metropolis—Hyde Park—Shelters, 955
Railways—Sir Francis Goldsmid, Accident to, 317
Vivisection, Address for Papers, 753;—Royal Commission, Petitions, 1321, 1324, 1325

Truro Chapter Bill [H.L.]
(*The Lord Bishop of Exeter*)
l. Committee; Report *June* 24, 118 (No. 112)
Read 3ª* *June* 25
c. Read 1º* (*Mr. Assheton Cross*) *July* 2 [Bill 234]
Moved, "That the Bill be now read 2º" *July* 4, 844
Moved, "That the Debate be now adjourned" (*Mr. Courtney*); Motion withdrawn
Original Question put, and agreed to; Bill read 2º
Committee*; Report *July* 9
Considered; read 3º *July* 11

TURKEY
LORDS
The Eastern Question
Rumoured Defensive Treaty with Turkey, Question, Earl Granville; Answer, The Duke of Richmond and Gordon *July* 8, 952
The Convention between England and Turkey, Questions, Earl Granville; Answers, The Duke of Richmond and Gordon *July* 9, 1050; Question, Observations, Lord Dunsany; Reply Viscount Cranbrook *July* 16, 1572
The Congress at Berlin, Question, Earl Granville; Answer, The Duke of Richmond and Gordon *July* 11, 1201

[*cont.*

Turkey—LORDS—*cont.*
The Congress—The Treaty of Berlin, Question, Earl Granville; Answer, The Duke of Richmond and Gordon *July* 15, 1426
Congress of Berlin—The Correspondence and Protocols, Observations, The Earl of Beaconsfield *July* 18, 1753
Correspondence relating to the Congress at Berlin, with the Protocols of the Congress, presented (by Command); after long debate, Correspondence and Protocols ordered to lie on the Table [*Turkey*, No. 39 (1878).]
The Foreign Office—Abstraction of a Document—The Memorandum of Agreement between England and Russia, Question, Observations, Earl Granville; Reply, The Duke of Richmond and Gordon; short debate thereon *July* 1, 480

Island of Cyprus
Slavery, Question, Observations, The Earl of Shaftesbury, Lord Stanley of Alderley; Reply, The Duke of Richmond and Gordon; Question, Earl Granville; Observations, The Earl of Kimberley; Reply, The Duke of Richmond and Gordon *July* 11, 1224; Question, Observations, Earl Granville; Reply, The Marquess of Salisbury; short debate thereon *July* 19, 1948
Sanitary Condition, Question, Observations, Lord Oranmore and Browne; Reply, The Duke of Richmond and Gordon *July* 15, 1433

TURKEY
COMMONS
The Eastern Question
Rumoured Defensive Treaty with Turkey, Questions, The Marquess of Hartington, Mr. Gladstone; Answers, Mr. Assheton Cross *July* 8, 965
The Convention between England and Turkey, Question, Mr. W. E. Forster; Answer, Mr. Bourke *July* 9, 1069
The Convention with Turkey—Money Vote, Question, Sir Charles W. Dilke; Answer, The Chancellor of the Exchequer *July* 12, 1335
The Anglo-Turkish Convention, Questions, Lord Robert Montagu, Mr. Dillwyn; Answers, The Chancellor of the Exchequer *July* 16, 1578
Annex to the Anglo-Turkish Treaty, Notice of Question, Mr. Rylands *July* 22, 2050
The Anglo-Turkish Convention—The Tribute of Cyprus, Question, Mr. Puleston; Answer, The Chancellor of the Exchequer *July* 22, 2051
The Anglo-Turkish Convention—The Despatch of May 30, Question, Mr. Goschen; Answer, Mr. Bourke *July* 22, 2062

The Congress of Berlin—The Papers, Question, Mr. W. E. Forster; Answer, Mr. Assheton Cross *July* 11, 1245
The Treaty of Berlin, Question, Mr. Otway; Answer, Mr. Bourke *July* 16, 1581
The Congress of Berlin, Question, Sir Wilfrid Lawson; Answer, The Chancellor of the Exchequer *July* 18, 1853

[*cont.*

Turkey—Commons—cont.
The Congress of Berlin and Anglo-Turkish Convention, Question, The Marquess of Hartington; Answer, The Chancellor of the Exchequer; Observations, The Marquess of Hartington *July* 19, 1972
Treaty of Berlin—Article 18, Question, Sir George Campbell; Answer, The Chancellor of the Exchequer *July* 22, 2055

Russia and Turkey—The War Indemnity, Questions, Mr. Otway; Answers, The Chancellor of the Exchequer *July* 18, 1845
The San Stefano Treaty, Question, Mr. Otway; Answer, The Chancellor of the Exchequer *July* 22, 2056
Eastern Affairs—The Marquess of Hartington's Resolutions, Notice of Amendments, Dr. Kenealy, Mr. Plunket *July* 22, 2049

The Island of Cyprus
Occupation and Revenues, Questions, Major Nolan, Mr. B. Samuelson, Sir Alexander Gordon, Sir Julian Goldsmid; Answers, Colonel Stanley, The Chancellor of the Exchequer, Mr. A. F. Egerton *July* 11, 1242
Indian Troops in Cyprus, Question, Mr. E. Jenkins; Answer, Colonel Stanley *July* 22, 2054

Miscellaneous Questions (*General*)
Atrocities in Roumelia, Question, Sir H. Drummond Wolff; Answer, Mr. Bourke *July* 11, 1245
Crete—Employment of Bashi-Bazouks, Question, Mr. Hayter; Answer, The Chancellor of the Exchequer *June* 27, 329
Insurrection in Crete, Question, Mr. Hayter; Answer, The Chancellor of the Exchequer *July* 1, 499; Observations, Mr. Monk, Sir George Campbell; Reply, Mr. Bourke; Observations, Mr. Shaw Lefevre *July* 4, 813
Crete and Mitylene, Question, Mr. Hayter; Answer, Mr. Bourke *July* 8, 957
Free Trade, Question, Mr. J. Holms; Answer, The Chancellor of the Exchequer *July* 15, 1468
Reported Conspiracy against the Sultan, Question, Mr. Hayter; Answer, The Chancellor of the Exchequer *July* 16, 1580
Russian Troops in Turkey, Question, Lord Robert Montagu; Answer, The Chancellor of the Exchequer *July* 22, 2058
Slavery and the Slave Trade, Questions, Mr. Baxter, Mr. W. E. Forster; Answers, Mr. Bourke *July* 11, 1247
The Asiatic Dominions of the Sultan, Question, Lord Robert Montagu; Answer, Mr. Assheton Cross *July* 15, 1469
The Mediterranean Fleet—Detention of British Seamen, Questions, Lord Robert Montagu; Answers, Mr. W. H. Smith *July* 18, 1852; *July* 19, 1971
Reported Firing on a Boat's Crew by the Russians, Questions, Lord Robert Montagu; Answers, Mr. W. H. Smith *July* 22, 2057
The Mohammedan Population of Bulgaria, Question, Mr. Onslow; Answer, The Chancellor of the Exchequer *July* 1, 488
Tunis and Tripoli, Question, General Sir George Balfour; Answer, Mr. Bourke *July* 16, 1580

Turnpike Acts Continuance, &c. Bill
(*Mr. Salt, Mr. Sclater-Booth*)
c. Ordered; read 1°* *July* 8 [Bill 245]
Read 2°* *July* 15
Committee*; Report *July* 18
Read 3°* *July* 22

Turnpike Roads Returns
Question, Mr. Rylands; Answer, Mr. Sclater-Booth *July* 9, 1070

Under Secretaries of State Bill
(*Mr. Secretary Cross, The Lord Advocate*)
c. Bill withdrawn* *July* 16 [Bill 181]

University Commission—The Medical Professorships
Question, Dr. Cameron; Answer, The Chancellor of the Exchequer *July* 18, 1843

Valuation of Lands (Scotland) Amendment Bill (*Sir Windham Anstruther, Mr. Campbell-Bannerman, Sir Edward Colebrooke, Sir Graham Montgomery, Mr. Ramsay*)
c. Committee* (*on re-comm.*)—r.p. *July* 5
Committee—r.p. *July* 18, 1941 [Bill 205]

Valuation of Property Bill
(*Mr. Sclater-Booth, Mr. Chancellor of the Exchequer, Mr. Salt*)
c. Committee—r.p. *June* 21, 21 [Bill 94]

Verner, Mr. E. W., *Armagh Co.*
Intermediate Education (Ireland), 2R. 1497
Landed Estates Court (Ireland) Leases, 2R. Amendt. 725
Removal of Paupers, Res. Amendt. 686
Tramways (Ireland) Acts Amendment, Comm. 580

Vivian, Mr. H. Hussey, *Glamorganshire*
Contagious Diseases (Animals), 2R. 186
Highways, Comm. *cl.* 18, 894
Mining Disasters, Res. 96

Vivisection—The Royal Commission—Petitions
Observations, Lord Truro; Reply, Viscount Cardwell *July* 12, 1321

Vivisection
Moved, "That an humble Address be presented to Her Majesty for, Return of the names of Hospitals or other places registered for experiments upon living animals under the 39th and 40th Vict. chap. 77; also the number of such experiments from the 1st January, 1877, to 1st January, 1878; and for the Reports of the Inspectors appointed under the Act" (*Earl De La Warr*) *July* 4, 753; after short debate, Motion withdrawn

Walker, Lt.-Colonel O. O., *Salford*
Contagious Diseases (Animals), 2R. 180

Walpole, Right Hon. Spencer H., *Cambridge University*
Ritualism, Res. 929

Walsh, Hon. A. *Radnorshire*
Public Health—Sanitary Condition of Ascot, 757

Walter, Mr. J., *Berkshire*
Habitual Drunkards, 2R. 723

Ward, Dr. M. F., *Galway*
Parliament—Progress of Public Business, Res. 1477

Waveney, Lord
Army—Artillery—Muzzle-loading and Breech-loading Rifled Guns, Motion for Returns, 1325
Army—India—Indian Staff Corps, 1449, 1452
Ballymena and Larne Railway, 3R. 102
Intermediate Education (Ireland), 1R. 19; 2R. 415

WAYS AND MEANS
Miscellaneous Questions
Inland Revenue—Dog Licences, Question, Mr. Hopwood; Answer, Sir Henry Selwin-Ibbetson *June* 27, 323
Extra Expenditure, Questions, Mr. Childers; Answers, The Chancellor of the Exchequer *June* 24, 124; *July* 4, 757
Tobacco Duties Acts, 1830—*The Cultivation of Tobacco in Ireland*, Question, Mr. O'Sullivan; Answer, The Chancellor of the Exchequer *July* 19, 1968

Weights and Measures Bill
(*Mr. Edward Stanhope, Sir Charles Adderley, Mr. Attorney General*)
c. Committee * (*on re-comm.*)—R.P. *June* 21
Committee; Report *June* 27, 408 [Bill 143]
Considered * *July* 9 [Bill 229]
Read 3° * *July* 12
l. Read 1ª * (*Lord Henniker*) *July* 15 (No. 161)
Read 2ª, after short debate *July* 22, 2038

Wheelhouse, Mr. W. St. James, *Leeds*
Contagious Diseases (Animals), 2R. 172; Comm. 1001
Highways, Comm. 457
Permissive Prohibitory Liquor, 2R. Amendt. 251

Wheelhouse, Mr. W. St. James—*cont.*
Real Estate Intestacy, 2R. 1180
Sale of Intoxicating Liquors on Sunday (Ireland), Consid. 1271; *add. cl.* 1301
Valuation of Property, Comm. *cl.* 8, Amendt. 56

Whitwell, Mr. J., *Kendal*
Contagious Diseases (Animals), Comm. *cl.* 10, 1856; *cl.* 15, 1882; *cl.* 16, 1886; *cl.* 21, 1920; *cl.* 30, 2074, 2077; *cl.* 31, 2081; *cl.* 34, 2085; *cl.* 37, 2087; *cl.* 38, *ib.*; *cl.* 53, 2092; *cl.* 55, 2098; *cl.* 59, 2137
Freshwater Fish Protection, Comm. *cl.* 7, 1035
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ERRATUM.—Page 1793, line 6 from top, for "England," *read* "India."

END OF VOLUME CCXLI., AND FIFTH VOLUME OF SESSION 1878.

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